

Crime-1929

# NEGRO IS RELEASED IN STRETCH DEATH

Case Against Major Stallings  
Nolle Prossed On Recommendation Of Officers

Major Stallings, negro truck driver, who was arrested recently by J. W. McClung, state law enforcement officer, on a charge of first degree murder in connection with the death of David Stretch, Alabama Power Company employe, was released from jail yesterday.

Upon recommendation of R. W. Arrington, assistant solicitor of Montgomery County and the arresting officer, the charge against Stallings was nolle prossed by Judge Winter Thornton in the Court of Common Pleas.

Stretch was found murdered at the Alabama Power Company's calcium arsenate plant in North Montgomery last October. Several arrests in connection with his death have been made, but all have been released.

Dale Winters and Charles Edward Kindell, charged with taking an automobile belonging to V. M. Clark some time ago, waived hearing to the Grand Jury. Bond was set at \$500 each. They were arrested at Paris, Tenn., with the car and returned here.

Persons fined for violating the prohibition law are: Virgil Jones, \$100 and costs; Joe Loftin, \$50 and costs; Arthur Studemire, negro, \$50 and costs; Frank Bentley, negro, \$50 and costs; Woodrow Farrior, \$150 and costs; Carrie Smith, negro, \$50 and costs.

Isaac Artist, negro, charged with mutilating an automobile license tag, was fined \$50 and costs.

# NEGROES' TRANSFER ASKED BY M'CALL

Five Held In Disappearance Of  
C. C. Coffee May Be Removed To Kilby Prison

Attorney General Charlie C. McCall, who has taken charge of the investigation into the strange disappearance of C. C. Coffee, prominent Mobile citizen, missing for more than two months and believed to have been murdered—yesterday requested Circuit Judge T. J. Bedsole of Grove Hill to issue an order transferring the five negroes under arrest for complicity in the death of Mr. Coffee to Kilby prison.

The negroes who are alleged to have

confessed a part in the kidnapping to death of the missing Mobile citizen are now distributed among the county jails in the counties of Mobile, Clarke and Washington. They are reputed to have first said that the body was sunk in a nearby lake. Later, they declared the remains had been burned. Dragging the lake where it was claimed the body had been disposed of was without result. Some charred bones found in the vicinity recently are to be subjected to analysis to determine whether they are human bones.

The attorney general who will present the case to the Clarke County Grand Jury said he desires to have the prisoners removed to Kilby prison as a precautionary measure. The next regular session of the Clarke grand jury is scheduled to convene in March.

## Religion In South Carolina As Robt. Quillen Sees It

The Governor of South Carolina, speaking recently at a banquet, made boast that this State, in proportion to population, contains more "professing Christians" than any other in the Union.

It was an unfortunate boast, for it invites other comparisons.

And when these other comparisons are made the student comes inevitably to the conclusion that the fact of being "professing Christians" does not make people decent.

Exact statistics are not available, but even the casual observer cannot overlook the fact that South Carolina, in proportion to population, has more cold-blooded murderers and casual killings than any other State in the Union equally free of alien blood.

She has more corn-liquor stills than any other State in the Union.

She has more corn-liquor consumers than any other State in the Union.

She has more venereal disease than any other State in the Union.

She has more debt-beaters than any other State in the Union.

She has more bogus-check flashers than any other State in the Union.

These distinctions, bear in mind, are hers by reason of the qualifying phrase, "in proportion to population."

And her sins can't be blamed on the "niggers," for the records show that white men are charged with more felonies than black ones.

If South Carolina, in proportion to population, has more "professing Christians" than any other State, then these people do not permit their religion to cramp their style in such activities as making and drinking liquor, arson, homicide, murder, fornication and the defrauding of their fellow men.

The less we brag about our religion, the ridiculous we shall seem.

A "Christianity" that keeps the chain gangs full and the courts behind with their work won't impress the outside world very much.

Our greatest weakness as a people—and the daily press has begun to confess the fact openly since the Governor made his boast—is that we stuff ourselves with religion until it addles us, and then, happily conscious of being Hea-

venward bound, we go out and raise the devil with a clear conscience.

We need less religion of the present kind and more decency—less "professing Christianity" and more of the Christianity taught by Christ.—Robert Quillen in the Fountain Inn Tribune.

## BETTER LOOK FOR THE CRIMINAL THAN FOR THE NEGRO

The latest of Birmingham's ax murders with its shocking details is occupying the energies of the police department. It seems strange that the circumstances surrounding this crime compare so closely to those surrounding the Daisy Bannister crime, committed about a year ago and within a stone's throw of this very spot.

It is important that the guilty party be apprehended, whoever it is, and the activity of the law seems now to indicate that some progress is being made.

The fact that the crime is laid to a Negro may serve to cause some important clues to be over-looked and, perhaps, some loss of time because the search for a Negro rather than the search for a criminal will divert activity in only one direction.

The practice of trying to place the responsibility for such crimes on a Negro to conceal the identity of the real culprits has grown because of the success attending such practices and the ease with which violent public sentiment can be excited against the Negro. It has been plainly shown many times that the effort to place such crimes on the Negro has proven to be a means of escape for the real culprit, and, while the authorities are engaged on the Negro theory the real culprits escape.

So much does Negro prejudice operate to impede the wheels of justice that it would appear immediately all clues on baffling crimes leading to Negroes are run down and all theories involving Negroes are abandoned before any other clues or theories are taken up.

The spectacle of a murderer disclosing and explaining his identity, particularly his race identity, while committing a crime, is so unusual as to bear the suspicion of a hoax and point directly in an opposite direction. The newspapers are perhaps unconscious of the harm they do the defenseless Negro by headlining most doubtful crimes as being committed by Negroes and playing up stories where the doubtful identity of criminals is credited to the Negro group. To carry the responsibility for his own crimes is weighty enough, but to carry it for those who mask and hope to escape punishment by arousing feeling against Negroes is more than ought to be fairly laid at the Negro's door.

It has too often happened that baffling crimes are laid at the door of the race on any suggestion or theory that appears to be plausible.

We feel that the culprit should be caught and punished to the limit and anything that we could do to help in this would only be a part of our duty. This is our feeling without regard to race identity and we would appeal to those who make sentiment, for the sake of justice to let the Negro bear his own burdens in this regard. That will be enough for him.

# Three Negroes Get Life Term

## Trio Convicted For Death Of Coffee; To Appeal

GROVE HILL, ALA., April 5.—(Special)—With a life term in the Alabama penitentiary facing them for the disappearance of Christopher C. Coffee, Mobile insurance man last November, Woodford Mabry of the law firm of Tucker and Mabry announces that an appeal will be taken to Supreme Court for three negroes, Jerry York, Bill Lang and Carson Lewis convicted here today by a Clarke County jury following a trial lasting just a little more than a day. The jury was out only about 40 minutes.

The state was represented in the prosecution by Assistant Attorney General J. W. Bransell, Circuit Solicitor Bart B. Chapman of Mobile, assisted by Joe Paul of the First Judicial Circuit and Paul Jones, county solicitor. The defense was represented by Woodford Mabry and Q. J. Tucker.

Defense attorneys claimed in their argument before the jury that the state had not established corpus delicti and further charged that the chain of circumstantial evidence was not complete. The state introduced charred bones which the prosecution claimed constituted portions of the body of Mr. Coffee who disappeared on Nov. 12, 1928 from a hunting camp near Hal's lake in the lower end of Clarke County.

Following the disappearance of Mr. Coffee the swamps, streams, sloughs and lakes were searched for some trace of the missing insurance man. Four negro woodchoppers were arrested and under severe questioning are said to have confessed to killing Mr. Coffee for his shotgun and finger ring. Several versions of how the crime was committed led to search in many places for the body to no avail. The bones introduced are said to have been found in a pile of ashes and dead embers.

In addition to the three negroes convicted here today, a fourth, Percy Lang died in the jail at Chatom of "pneumonia" a short while after falling into the water of a slough while directing the search for the missing man. Several other arrests were made, but indictments were returned against the three who were today found guilty.



# PRISON PLANTATION, ATMORE, INSPECTED

## U. S. And State Officials Go On Tour Of Farm Plant And Praise Progress

The state prison farm at Atmore was inspected yesterday by a number of state officials, including S. M. Dunwoody, commissioner of agriculture; Charles A. Moffett and Harp Draper of the board of administration; F. W. Cist, state and federal agricultural statistician; Howard C. Smith, editor; Renick W. Dunlap, assistant secretary of agriculture at Washington, and F. L. Sanford, agricultural agent of the Frisco Railroad.

These farm experts were delighted with the flat level surface of the soil throughout the farm area of 3,000 acres. The subsoil is heavy, will hold moisture and fertilizer and will not erode, it was stated. The land can be built up to the highest degree of productivity without recourse to terracing or drainage, except in a few limited acres, it is said.

Unanimous opinion was that there could hardly be a tract of similar size obtainable in Alabama that had all the desirable features obtainable in this one.

The farm already has yielded enough timber to construct necessary buildings. A large acreage of vegetables together with 250 acres of strawberries are growing nicely. The cotton acreage will be very large.

A canning plant is being constructed and enough beans, peas, berries and other vegetables and fruits will be canned for use of the entire prison population of the state. Other buildings are under construction and in time the farm will resemble one of the old time plantations where the field hands were numbered among the hundreds and where most of the provender was grown, it was stated.

Renick W. Dunlap, assistant commissioner, was pleased with the possibilities of the farm and commented on the splendid progress that has been made inside nine months, when a forest was cleared, stumped and transformed into a tillable field.

Following the visit to the prison farm, the party was entertained at the Lions Club at a luncheon in Atmore, when addresses were made by Mr. Dunlap, Mr. Moffett and Mr. Smith.

## 3 NEGROES TO FACE TRIAL FOR MURDER

### Trio To Get Hearing Before Clarke County Jury Today; Not Guilty Plea Entered

MOBILE, ALA., April 3—(A)—Three

negro wood choppers, who are charged with the slaying of C. C. Coffee, 73, of Mobile, on November 12, will go to trial tomorrow in Grove Hill, Clarke County as result of the indictments returned against them on March 27 charging murder of the man who so mysteriously disappeared. The trio to be tried are: Carson Lewis, 34, of Montgomery; Jerry York, members of a group of colored men who were imprisoned after the disappearance of Coffee.

While the negroes have confessed to the slaying of Coffee for his new shotgun and Masonic ring, which he is reported to have had at the time of his disappearance, they pleaded not guilty when arraigned in court after the true bills were returned against them.

Disappearance of Coffee has been entangled in a variety of details ever since he vanished in November. Following his disappearance authorities of Mobile, Washington and Clarke counties took a hand in the investigation which resulted in a variety of confessions and unearthing of conflicting evidence to the effect that Coffee's body had been buried, thrown over board or burned. While evidence has been secured which authorities claim will substantiate their theory that the body was burned after

## 740 Cases Put On Docket By Police In 30-Day Period

Law violators were hit hard by the police department during April, according to a report submitted to the city commission yesterday by W. H. Taylor, chief of police.

During the 30-day period 740 cases were docketed at police headquarters, from which 400 convictions were obtained in the Recorder's Court and fines assessed and collected amounting to \$5,514.

Males arrested greatly outnumbered females. There were 358 white men and 315 negro men entered on the docket, while only 133 white women and 100 negro women were arrested. Cases docketed in Recorder's Court were 448 and those pending 44.

The unusual large number of charges for drunkenness, 111, led the docket. Other charges preferred were: assault and battery 36; assault to murder 4; burglary and grand larceny 3; collision 45; disorderly conduct 62; fighting 18; grand larceny 9; larceny 12; murder 2; gaming 67; driving while intoxicated 10; reckless driving 7; rape 1; resisting arrest 4; receiving stolen property 1; refusing to pay taxi fare 2; carrying concealed weapon 3; having pistol in automobile 2; carrying brass knuckles 1; violating prohibition law 52; violating revenue law 18; violating traffic law 91; speeding 49; trespassing 5; unlawfully riding train 2; and leaving scene of accident 3.

Fines where cases have been appealed amounts to \$1,172.50. The report was prepared by Lieut. W. S. Powell, in charge of the desk on the night shift.

## Carrying Concealed Weapon Charged Negro

SELMA, ALA., May 6.—(Special.)—Arthur Clark, negro, was arrested Saturday night in the Sardis neighborhood by Chief Deputy Arthur Samples and Deputy J. H. Scarbrough, on a charge of carrying a concealed weapon.

## Six Prisoners Go To Kilby To Begin Serving Of Terms

Six persons, two white and four negroes, were transferred from the county jail to Kilby Prison yesterday to begin serving sentences pronounced upon them by Judge Leon McCord in Circuit Court during the morning. They either were convicted or pleaded guilty to charges in court the first two days of the week.

S. B. Sharpe, Montgomery, was sentenced by Judge McCord to serve four months and 65 days of hard labor for operating a car while intoxicated to which he pleaded guilty, and Charles Railey was sentenced to serve five years in the penitentiary for a statutory offense.

Robert Reynolds, negro, received a life sentence for murder to which he pleaded guilty after the state had completed its evidence in his case. Theodore Stevens and Jim Toles, negroes, were sentenced to 10 years in the penitentiary for robbery, while James Savage, negro, received four to five years for grand larceny.

Sentencing of prisoners brought Circuit Court to a close for this term.

## After 12 Months Of 'Vacation,' City Prisoners Return To Street Work

By order of Mayor W. A. Gunter city prisoners were again put to work yesterday on the city streets and as reinforcements for the sanitary department, reopening a policy which was discontinued after the burning of the city jail more than a year ago.

Mayor Gunter said that all prisoners who were unable to pay fines would be put to work and announced a raise in the daily wage allowance. Instead of the 50 cents a day allowance which prevailed heretofore Mayor Gunter said the workers would be allowed \$1 a day.

Nine negro prisoners were taken from the County Jail yesterday morning. They were given breakfast at a cafe on Monroe Street and then moved in a city truck to Cleveland Avenue, where a new bridge is being constructed. The negroes loaded wagons with dirt until noon, when yesterday, although they had been told they were served dinner sent them from the cafe by the city. They were again put in jail at 6 p.m., and again supper from the cafe.

The squad yesterday was worked under general supervision of J. M. Jones, of the city sanitary department. Negroes put to work yesterday and their instructions regarding them. The city has purchased overall uni-

## Negro Wanted For Attack Captured By Auburn Police

John Barnett, negro, charged with assault to murder in connection with the shooting two months ago of H. T. Jaden, Pike Road, was arrested yesterday in Auburn, Chief Deputy Sam Stearns was informed last night.

Deputy Stearns and other officers of the sheriff's office have been working on the case since the negro escaped.

Deputy Stearns recently learned that the negro was in Lee County. He requested the chief of police at Auburn to arrest him.

The negro is alleged to have shot and wounded Jaden following an argument. Mr. Jaden had paid a fine for the negro, who was in the Birmingham jail on a charge of vagrancy and employed him on his farm.

Barnett was indicted by the July Grand Jury.

## White Prisoners Are Taken From Streets

The city has abandoned its plan to work white prisoners, J. M. Jones, superintendent of city streets, announced yesterday.

There are several causes for abandonment of the plan, Mr. Jones said, but the principal reason is that white prisoners as a class are both lazy and insubordinate and to compel one to work require a guard for each prisoner. They also had a demoralizing influence on the negro labor, Mr. Jones said.

forms for the prisoners, similar to the overalls worn by employes of express companies. Mayor Gunter said the prisoners would not be permitted to wear stripes.

White prisoners who probably will be put to work unless their fines are paid follow:

Emery Hunter, \$9; Charlie Owens, \$79; Thomas King, \$24; Pete Mortz, \$9; L. G. Watson, \$9; Bowden Yates, \$10 and Edward Edrington, \$5.

Julius Harris, violation of prohibition law, \$54; Wesley Wilson, violation prohibition law, \$54; Frank Houston, unlawful riding of train, \$5; Willie Presslev, violation prohibition law, \$54; Will Lewis, disorderly conduct, \$29; Arthur Davis, assault and battery, \$14; John Collins, violating prohibition law, \$54 and Will Kennedy.

The crew will be joined today by the following who were convicted in Recorder's Court yesterday, unless their respective fines are paid or bond is made for appeal:

Tom Eckward, assault and battery, \$19; Charlie Carter, gaming, \$5; Charlie Bailey, violation prohibition law, \$54; John Harris, larceny, \$14 and LeRoy Lankford, assault and battery, \$14.

Seven white prisoners remained in jail yesterday, although they had been told that they may expect to be put to work. They blamed the weather for their failure to get into the open and seemed anxious to get to work. Just what work is planned for the white prisoners was not ascertained yesterday, as Mr. Jones said that he had not received any instructions regarding them.

The city has purchased overall uni-



## Men Compelled To Work Beasts Into Frenzy

No one at Kilby prison could be found who knew who the guards in charge of the convicts were. It was learned from witnesses of the Gog episode that the captives addressed one of the guards as Cap't Daniels, and that the guard overpowered, was the young son of another guard who had been left temporarily in charge of the prisoners, while the guards, employed by the State, absented themselves from the scene where the two convicts were at work. The boy's name was Ellis, it was said.

Oliver Graham, owner of a garage in Chisholm on the Lower Wetumpka Road, saw both the overpowering of the guard

As soon as the first man, forced to descend at the point of a gun, reached the ground, he was set upon by the dogs according to Graham's account. Gnashing at his legs, the man begged pitifully, he said, to have the dogs called off. Frantically the prisoner beat at the dogs with his hands. They bit his wrists. Finally, Graham said, the man sat down exhausted, and the dogs, although urged

Warden R. A. Burns of Kilby Prison when advised of the episode said it was the first he had heard about the dogs being allowed to bite a prisoner, and that he would investigate the reports immediately. He said that Tuesday after-

Told that reports was to the effect that a prisoner referred to the man in charge of the capture party as "Captain Daniel," and asked if he knew who this was, Mr. Boswell said he did not know who was in the party, but that the only Mr. Daniel connected with the prison staff is W. C. Daniel, who is in charge of farm operations. The probability was that Mr. Daniel was present, he said, also Lee Wilson, who has charge of the dogs used in tracking down escaped convicts at Kilby.

Statement Wednesday evening that none of the prisoners concerned had sores or five to ten marks on the calf of one leg, and no marks at all. That no medical attention was necessary for either of them and they asked for none, also that both went to work at their usual tasks Wednesday morning. This was reiterated by officials yesterday.



Crime - 1929

The comparative statement compiled by Dr. Andrews showing the number of prisoners confined in, committed to, released from and remaining in the county jails of Alabama for the first six months of the present fiscal year compared with the 1927-28 fiscal year, and his letter submitting the statement to the governor, follow:

"Hon. Bibb Graves,  
"Governor of Alabama,  
"State Capitol.

"Dear Sir:

"The accompanying comparative statement of the number of prisoners confined in, committed to, released from, and remaining in the county jails of the state, for the first six months of the fiscal year 1927-28 and 1928-29 respectively, is respectfully submitted for your information.

"From this statement it will be noted that during the period from Oct. 1, 1928, to March 31, 1929, as compared with a similar period for 1927-28, there has been an increase in the number of white females committed of 52 or 7 1-2 per cent, negro males 1,362 or 17 per cent, negro females 74 or 5 per cent, and a decrease of 229 or 2 1-2 per cent in the number of white males committed, the total increase being 1,259 or 6 1-2 per cent.

"The decrease in the number of com-

	(1)	(2)	(3)	(4)
Oct. 1, 1927, to March 31, 1928:				
White males	464	9003	9467	9007
Negro males	598	7974	8572	8030
White women	28	683	711	693
Negro women	81	1387	1468	1408
Totals	1171	19047	20218	19138
Oct. 1, 1928, to March 31, 1929:				
White males	488	8774	9262	8757
Negro males	662	9336	9998	9365
White women	14	735	749	713
Negro women	75	1461	1536	1453
Totals	1239	20306	21545	20288

(1) Brought over from previous year; (2) committed to jail; (3) total number in jail; (4) released from jail; (5) remaining in jail.

#### COMMITTED TO THE JAILS

	WM	NM	WF	NF	Total
Oct. 1, 1927, to March 31, 1928	9003	7974	683	1387	19047
Oct. 1, 1928, to March 31, 1929	8774	9336	735	1461	20306
Dec.	229	1362	52	73	1259
or	or	or	or	or	or
2 1-2	17	7 1-2	5	6 1-2	6 1-2
Per Ct.	Per Ct.	Per Ct.	Per Ct.	Per Ct.	Per Ct.

mitments of white males, though slight, is the only encouraging feature of the report. However, it is to be hoped that this indicates that a turning point has been reached, and that the future will show a decrease in the commitment of both sexes.

"In this connection, attention is again invited to the number of one day commitments which appear on a number of the monthly reports rendered. As has before been pointed out, frequently persons are arrested, bonded, or released otherwise, and are not actually committed to the jail, although their names appear upon the register, and subsequently on the feed bills rendered to the state. What percentage of these should be eliminated can only be determined when the accounts of the sheriff's are audited by an examiner of public accounts.

"Respectfully yours,  
(Signed) "GLENN ANDREWS,  
"State Prison Inspector."

Here is a comparative statement of the total number of prisoners confined in the county jails, the number committed to the jails, the number released from the jails for various reasons, and the number remaining in the jails, for the six months period from Oct. 1 to including March 31, 1927-28, and Oct. 1 to and including March 31, 1928-29, respectively:

## Idle Convict, Nursed In Lap Of Sentiment, Is Real Menace

Idleness among convicts is the most serious problem now facing both state and federal prison authorities in this country, but Alabama is making better progress towards its solution than any other state by providing profitable employment for its inmates, except those who are ill or otherwise incapacitated.

Mr. Draper, Alabama's Commissioner of Corrections, who returned yesterday from the annual meeting of the American Prison Congress in Toronto, Canada, said that this was the unanimous opinion of prison officials in attendance there. In some states, he said he found that 75 per cent of prisoners in state institutions are idle and that in Arizona only about 10 per cent of the prison population is employed. In New York state alone, he added there are 5,000 idle convicts.

Mr. Draper stated the opinion of the majority of prison authorities at the meeting was that some forms of well intentioned social service carried out among prison inmates actually hamper and create dissatisfaction and unrest and are generally undesirable. If this could be eliminated, they believe, Mr. Draper declared, punishment in the prisons would be reduced to practically the vanishing point.

Idleness, however, is the great trouble with which all prison systems are confronted, Mr. Draper repeated, pointing out that with nothing to do, time hangs heavily on the hands of convicts within prison walls, causes them to become moody, irritable and quarrelsome and is always a potential source of trouble for prison officials.

Mr. Draper, who during his absence visited Quebec, New York, and other points, and made inspections of a number of prisons, was accompanied on the trip by Mrs. Draper. He said he did not see a prison anywhere, any better arranged or conducted than those in Alabama.

Dr. Glenn Andrews, state prison inspector, also was in attendance at the Toronto sessions of the Prison Congress, which will meet next year in Louisville, Ky.

## Negro Held In Two-Year-Old Ax Murders

### Sensational Niblett Death

### Case Is Revived With Arrest In Killing

### Claims Innocence Cruelty To Prisoner In Examination Charged

A charge of murder was placed against Sam Wilkins, 28, negro, yesterday in connection with the slaying of John and Gracie Niblett with an ax nearly two years ago.

The warrant was sworn out by J. L. Partin, special agent working out of the attorney general's department as is returnable to the Court of Common Pleas.

Wilkins, it was learned, was arrested Monday and lodged in Kilby Prison Monday night where he was subjected to a grilling, but stoutly maintained his innocence. He was removed yesterday to the county jail. Officer Partin declined to reveal last night the extent of the evidence he held against the negro.

"We believe we have the right man," he declared.

The negro, on the other hand, told a reporter in the presence of Warden M. A. Sealy, of the county jail, that he knew nothing of the murder. He admitted that he knew John and Gracie Niblett and that he lived near them. The negro said he was born and reared in Beat 11, and that for several years he had been working on the plantation of Frank Amason. He said he lived about a mile from the Niblett home.

#### Cruelty Charged.

The negro said he had never been arrested for any offense in his life and that he had never handled liquor or aided in the manufacture of liquor. He told a story of cruel treatment by his questioners at Kilby prison Monday night, which Officer Partin said was untrue.

The negro told Warden Sealy and the reporter that the men who questioned him slapped him, cursed him and threatened to put him in the electric chair if he didn't tell the truth.

"Why did they slap you?" was asked. "They wanted to make me say something I didn't do. They wanted me to say that I killed Mr. Niblett."

The negro said that one of the men who arrested him was present during the questioning.

Mr. Partin said he questioned the negro in the presence of the night deputy warden at Kilby and another Kilby official and that no one slapped or cursed or threatened the negro while he was there. He said that he saw the negro locked in his cell and that no one but he himself had the right to question the negro as he made the arrest and it is customary at Kilby to permit only the man who handles the case to question a prisoner.

#### Others Implicated.

Mr. Partin indicated that he believed others were implicated in the slaying of the Niblett brothers, but declined to say how many.

The murder of the Niblett brothers was one of the most sensational crimes in the history of Montgomery County. John Niblett, a farmer of substantial means and his mentally deficient brother Gracie were batchelors and lived with an elderly sister, Miss Laura Niblett. The house they occupied was a typical farmhouse with an open hall stretching through it and rooms on either side.

About 3 a.m. John and Gracie Niblett were awakened by someone who called to John. John Niblett went to the door and immediately there ensued a fierce struggle. John barely had time to utter an outcry before he was struck down with an ax which cut through his neck. There was another cry, according to the story of Miss Niblett, and she reached the door in time to see Gracie fall and hear him cry "catch that negro." A form darted down the hall as a puff of wind extinguished the light she held in the doorway.

#### Flees From Killer.

Miss Niblett, terrified, rushed from the house into the wooded section that borders the field, and there remained until dawn. Making her way to the home of a neighbor she gave the alarm. It was a gruesome spectacle the officers beheld when they arrived at the Niblett home. John Niblett was dead on the porch, his body hacked in 70 places. Gracie was dying in the hall, with nearly as many cuts about his face and body. He was unconscious and was brought to a Montgomery hospital where he died a few hours later without regaining consciousness.

Several suspects were arrested by the sheriff's department but they were later released. About a year later the Montgomery County Grand Jury investigated the crime for the second or third time but no indictments were returned.

Some advanced the theory that John and Gracie Niblett had been in the employ of the federal government to aid in the apprehension of bootleggers and liquor runners and that his crime was committed at the instigation of moonshiners.

Others said the men were killed in an attempt to rob, as it was believed they always kept a sum of money in the house. They advanced the theory that the Nibletts were not robbed because they were frightened by the screams of Miss Niblett.

Coroner John Diffly, however, said himself to be disturbed by the motive the fiend would have helped in the slaying. He cited the scores of deep wounds on the bodies of the two men and the fact that the slayer did not appear frightened by the approach of Gracie while killing John, showed that if robbery had been the motive the fiend would have helped in the slaying.



Cirime-1929

Alabama

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Negro women	75
Totals	1239

(1) Brought over from previous year; (2) committed to jail; (3) total number in jail; (4) released from jail; (5) remaining in jail.

COMMITTED TO THE JAILS

Oct. 1, 1927, to March 31, 1928	WM	NM	WF	NF	Total
Oct. 1, 1928, to March 31, 1929	9003	7974	683	1387	19047
	8774	9336	735	1461	20306

Dec.	Inc.	Inc.	Inc.	Inc.	Inc.
229	1362	52	73	1259	5
or	or	or	or	or	or
2 1-2	17	7 1-2	5	6 1-2	Per Ct.
Per Ct.	Per Ct.	Per Ct.	Per Ct.	Per Ct.	Per Ct.

Idle Convict, Nursed in Lap Of Sentiment, Is Real Menace

Case Is Revived With Arrest In Killing

Claims Innocence

Cruelty To Prisoner In Examination Charged

A charge of murder was placed against the Sam Wilkins, 28, negro, yesterday in connection with the slaying of John and Grace Niblett with an ax nearly two years ago.

The warrant was sworn out by J. L. Partin, special agent working out of the attorney general's department as is revealed in a report filed yesterday in the county court of Common Pleas. Wilkins, it was learned, was arrested Monday night where he was lodged in Kilby Prison. He was subjected to a grilling, but stoutly maintained his innocence. He was removed yesterday to the county jail. A form dated down the hall as a puff of wind extinguished the light out that with nothing to do, time hangs heavily on the hands of convicts with him declared. The negro, on the other hand, told a reporter in the presence of Warden M. until dawn. Making his way to the home of the county jail, that he home of a negro and gave the alarm. He said it was a spectacle the officers knew nothing of the murder. He said he knew John and Grace Niblett and that he lived near them. John Niblett was dead on the floor of the county jail, his body hacked in 70 places. He was lying in a hall, with a knife in his back. He said he body. He was unconscious and was brought to a Montgomery hospital where he died a few hours later without regaining consciousness.

The negro said he had never been arrested by the sheriff's department but they were later aided in the manufacture of liquor. He formerly County Grand Jury investigated questions at Kilby prison Monday but no indictments were returned. Some advanced the theory that John and Grace Niblett had been in the emporer that the men who questioned in the apprehension of bootleggers and threatened to put him in the electric chair and that he crime was "Why did they slap you?" was asked. Others said the men were killed in thing I didn't do. They wanted me to say some an attempt to rob, as it was believed say that I killed Mr. Niblett." The negro said that one of the men the Niblett's were not robbed because the questioning.

Cruelty Charged.

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Negro Held In Two-Year-Old

Ax Murders

Sensational Niblett Death

Coroner John Diffly however, said revenge was the motive. He cited the scores of deep wounds on the bodies of the two men and the fact that the slayer did not appear frightened by the approach of Grace while killing John, showed that if robbery had been the



# Jails Lose Masculine Air While Women Fill Cells Over Alabama

By JOSEPH R. McCOY

While white men in Alabama have become more law-abiding generally speaking, and have managed to do somewhat better in keeping out of jail, white women have been more cantankerous or else less fortunate. More of them are getting in jail.

This is shown in a comparative statement prepared by Dr. Glenn Andrews, state prison inspector, which has been submitted to Gov. Graves.

In this statement, Dr. Andrews points out that during the first six months of the present fiscal year, the number of white females committed to county jails represent an increase of 52, or 7 1-2 per cent, over the same period in the preceding fiscal year.

There was a decrease of 229, or 2 1-2 per cent, in the number of white males committed to jails in the first half of the present fiscal year, he adds. He states also that commitments of negro males increased 1,362, or 17 per cent, and that commitments of negro females increased 74, or five per cent. The total increase was 1,259, or 6 1-2 per cent.

The state prison inspector notes that the only encouraging feature of his report is the decrease in the number of commitments of white males, at the same time expressing the hope that this decrease, though slight, may indicate the arrival of a turning point and that further decreases of all commitments may be shown in the future.

Attention is called by Dr. Andrews to the number of one-day commitments, and the fact that he has in the past pointed out that persons are frequently arrested, and then make bond or obtain their release otherwise and are not actually committed to jail, though their names appear on the register, and thereafter on feed bills presented to the state. Audit of the accounts of the sheriffs by examiners of accounts can be used to determine what percentage of one day commitments should be eliminated, he says.

## Negro Held On Murder Charge Stretch Slaying Believed Solved With Arrest

With the arrest of Pinkie Williams, negro woman, yesterday afternoon, authorities believe they have solved the mysterious slaying of David Stretch, employee of the Alabama Power Company in October of last year.

The woman was arrested by W. J. Courtney and Z. R. Mayhan, investigators out of the Attorney General's Department, in a section of the city known

## Pay Extreme Penalty For Killing Officer

UNION SPRINGS, ALA., Dec. 10. (Special)—Within one year from the date of the shooting, Roy Lee Miles, Bullock County negro, is to pay with his life for the murder of J. F. Barbaree at Union Springs Sunday afternoon, Jan. 20, 1929. A Bullock County jury today found the negro guilty in the first degree and the date of his execution in the electric chair at Kilby Prison was fixed for Jan. 17.

The trial, one of the quietest ever held in Union Springs, was held yesterday with Judge J. S. Williams presiding and the prosecution represented by Solicitor T. M. Patterson and L. M. Mosely. The defense was represented by George Andrews, appointed by the court to see that the negro was protected in his rights. No demonstration of any kind was noticeable, although there were approximately 5,000 people in the town to hear the trial.

Following the trial and sentencing of the negro, he was returned to Montgomery under ample guard and placed in Kilby Prison to await execution. Six automobiles brought the prisoner from Montgomery yesterday morning, with guard, to the scene of the trial.

The crime for which the negro must pay the extreme penalty was committed Sunday afternoon, Jan. 20, 1929, when Mr. Barbaree, accompanied by Marshal J. J. Brabham, went to the home of Aberdeen Miles to apprehend some negroes who were suspected of rum running. Barbaree was a special officer and when four negroes were arrested and told to get in the automobile to be taken to jail, one of the negroes suddenly attacked Mr. Brabham, took his pistol and shot Barbaree through the brain, killing him instantly. He then shot Mr. Brabham through the arm and the four escaped before help could arrive.

A posse was formed after the shooting and the search continued for days but the fugitives eluded all officers and neighbors on the trail as well as state bloodhounds carried to the scene. Aberdeen Miles, brother of the negro convicted today, is still at liberty.

Roy was captured in Chicago several weeks ago and a legal fight started to prevent extradition. Habeas corpus proceedings were instituted and the claim made that the negro could not get a fair trial in Alabama. About the time this plea was made, newspapers carried stories of National Guardsmen being ordered out to guarantee a fair court trial for a negro in Barbour County. The Illinois jurist took cognizance of this case and ruled that the negro must return to Alabama as he had every reason to believe a fair trial and full protection would be accorded.

## Death Chair Here Too Certain, Thinks Negro Fighting Extradition

That Alabama would railroad him to the electric chair, is the burden of the argument being used by Roy Miles, negro, charged with the murder of Special Officer J. F. Barbaree, of Union Springs, who is fighting extradition from Illinois to Alabama.

Attorneys for Miles, according to State Law Enforcement Officer McClung who is in Springfield with Gov. Graves's requisition for the negro, are citing the recent instance in Alabama where Leslie Bouyer, negro fiend, was indicted, tried and sentenced to death in two days in Barbour County, as a sample of what Miles might get if he was allowed to come back.

Miles has been identified as the negro who fired the shot which penetrated the brain of Officer Barbaree. McClung wires that he expects to get the negro when the hearing there is concluded.

## NEGRO CONDEMNED TO ELECTRIC CHAIR

Roy Lee Miles Sentenced To



## LEVEE BOSS GUILTY OF DROWNING NEGRO

Sentenced to Year in Pen for  
Manslaughter.

SEARCY, Ark., Feb. 1.—(H. H. (Henry) Austin, levee crew boss, charged with the death of Lige Shadders by forcing him into Little Red River, was found guilty of manslaughter by a White County jury. His punishment was fixed at one year in the penitentiary.

Submission of evidence was completed at noon today and arguments of the attorneys continued for four hours afterward. The state, stressing strict observance of the first degree murder indictment, demanded either the death penalty or an acquittal verdict. Defense counsel argued that no proof was offered that Austin ordered the negro into the water and that death by drowning and other material allegations in the indictment was not proven.

Austin, known also in this section as "Pete" Austin, admitted on the stand today that his real name was Watson and he had a wife at Corning, Ark. He was the only defense witness.

Eight witnesses were presented by the prosecution, who testified that Austin forced the negro into Little Red River at the point of a pistol, terrorizing him by firing, the negro drowning when about half way across.

Austin was unshaken on cross-examination in his denial of forcing the negro into the river, claiming that he learned of the negro's death two days later, when he was arrested at Bald Knob.

## NEGRO GETS LIFE FOR DROWNING OF YOUTH

Companion Goes on Trial at  
Cotton Plant Tuesday.

FORREST CITY, Ark., March 9.—Robert Bell, negro, today was sentenced to serve the rest of his life in the state penitentiary for drowning an eleven-year-old boy, Dec. 28, 1927, after robbing him of money to buy a new suit and overcoat.

The negro was convicted by a Woodruff County jury at Cotton Plant after being on trial since Tuesday. He was tried on the mur-

der charge a second time, his first trial having resulted in a death penalty which was reversed by the supreme court. The case was on a change of venue from St. Francis County.

Grady Swain, another negro, implicated in the murder, will go on trial Tuesday. Bell's trial attracted the largest crowd in the history of the Cotton Plant court. Many people of Forrest City and Hughes attended the hearings, which started Tuesday and ended when the jury returned a verdict of guilty Friday at noon. At times the crowd was estimated at 2,000.

Young McCollum left his father's store, Dec. 28, 1927, to carry a deposit to the bank. A week later his body was found in a bayou and indications pointed to the crime having been committed by a negro formerly employed by the boy's father. The negro's body was later found in another part of the bayou and the crime fastened on Swain, who had been arrested in connection with the crime. A confession that he witnessed the crime and that Elbert Thomas was the guilty party was later repudiated by Swain. He made another confession, which he and Bell repudiated on the stand, in which he said that he and Bell had killed the boy.

M. McCollum, father of the dead boy, testified that Bell confessed to him that he had murdered the youth to obtain money with which to buy a new suit and overcoat.

# Life Sentence For Black Boy

**Robert Bell Found Guilty First Degree Murder—NEGRO'S TRIAL UNDER WA  
Assessed Life Sentence In Alleged Drowning of White Lad—Case Formerly Reversed By  
Arkansas Supreme Court.**

Cotton Plant, Ark.—(ANP)—After a trial covering a period of five days, during which charges and counter-charges were made, Robert Bell, an eighteen year old lad, was found guilty and convicted of first degree murder with a recommendation that he be given a life sentence in connection with the drowning of Julius McCollum, an eleven-year-old white boy.

This is the second time Bell has been tried on the same charge. The first trial resulted in conviction and a death sentence. This sentence, however, was not upheld by the supreme court of the state and a second trial opened Tuesday.

Bell testified that he had been forced to sign the confession which was read at the first trial. He described a beating that he had received at the hands of Warden S. L. Todhunter, in the effort to force him to confess the crime. On one occasion, according to his story, the warden forced Grady Swain also charged with the killing, to sit on Bell's head while husky men applied the lash.

The warden denied that he had compelled Bell to make the confession but admitted that he had beaten him to make him tell what he had done with

the money, alleged to have been stolen by the colored boys.

Witnesses for the state attempted to prove that Bell and Swain had lured the white boy to the river, beat him and robbed him of a little more than \$20 and then pushed him in the river.

The jury deliberated over the case all night Friday, returning the verdict Saturday morning. Attorneys for the colored lad declared that an appeal would be taken to the Arkansas Supreme Court. Swain goes to trial Tuesday.

## Negro To Die In Chair For Killing Marshal

DEWITT, ARK., May 10.—(AP)—Ben Evers, negro, was convicted of the murder of City Marshal Perry Miller by a death penalty for Ever. Circuit Court jury here late today and his punishment was fixed at death. Judge W. J. Waggoner immediately sentenced him to die in the electric chair, and officers left with the negro for the penitentiary at Little Rock as soon as sentence was pronounced.

Witnesses Testify Against Slayer of  
Marshal.

DEWITT, Ark., May 9.—(AP)—The state completed examination of its 17 witnesses late today in the trial of Ben Ever, negro, charged with first degree murder for the slaying in March of Marshal Perry Miller at Dewitt.

Two panels of jurors were exhausted today before the jury was completed. More than 80 persons were examined for jurors.

Among those testifying for the state was Warden S. L. Todhunter of the state penitentiary at Little Rock. He testified Ever, while confined in the penitentiary as a precaution against possible mob violence, confessed to him he killed the marshal. A reporter for a Little Rock newspaper also testified Ever confessed in his presence to Miller's slaying.

Clarence Garrick, negro, and Ever are charged with murder in connection with the marshal's death. Garrick was with Ever at the latter's home as the marshal and another man attempted to enter to arrest Ever for the alleged theft of a pistol. Miller was killed instantly when the two are alleged to have opened fire. Garrick was wounded, and Ever escaped, only to be captured a few days later by a posse. He was wounded just before the capture.

Both Garrick and Ever were removed to the state penitentiary by national guardsmen as a precaution against threatened violence to them.

Three negro youths also testified Ever had threatened the marshal with death if he attempted to arrest him.

Prosecuting Attorney Guy Williams announced he would ask the Circuit Court jury here late today and The case is expected to reach the jury before noon tomorrow.



## ASSAILS SOUTHERN PENAL FARM

Lomoke, Ark., Sept.—Judge W. J. Waggoner in opening court here Wednesday morning declared conditions existing at the Loanoke County Penal Farm, in certain terms.

The judge who has visited the farm and studied conditions there scored the long sentences imposed upon defendants for trivial charges and declared that those prison guards and wardens who beat and permitted the beating of prisoners should themselves be subject to trial.

## WIFE SLAYER KILLED IN DUEL WITH POSSE

Man Hunt Ends With Fatal  
Gun Fight.

HOPE, Ark., Aug. 13.—(AP)—A posse headed by Sheriff Dorsey McRae today shot and killed Charles Martin, 50, escaped inmate of the State Hospital for Nervous Diseases and wife slayer, after a short gun battle in woods about two miles from here.

Martin Saturday night shot and killed his wife as she was working in a restaurant here. He disappeared and had been sought without success until this morning when a negro boy saw Martin enter the woods after having procured food. The posse was notified and after surrounding Martin he was called upon to surrender.

Martin elevated his hands, the officer said, but as they approached drew his pistol and fired twice at them. The officers returned the fire, a number of bullets striking Martin, killing him instantly. None of the officers was struck.

Martin's body was brought here and an inquest held this afternoon.

# Negroes Forced to "Confess" Crimes TORTURED INTO CONFESSIONS

Officials Investigate "Third Degree" Methods of Jails

Helena, Ark.—CNS—A makeshift "electric chair" which Sheriff J. F. Barlow admitted he had used "several times" has been destroyed under court order, but James McAllister, 21, Negro whose testimony in a murder case revealed the existence of the instrument, was convicted and sentenced to life imprisonment.

The man, accused of the murder of a 6 year old stepson, testified a confession was wrung from him by the use of the chair.

Counsel said the alleged torture of their client would be the basis of an appeal.

Sheriff Barlow told Judge W. D. Davenport he had inherited the chair from a long line of predecessors in office, rebuilt it and used it "several times" but he denied McAllister had been given the "third degree."

Judge Davenport ordered the chair brought into the court and after it had been examined, he declared its use "uncivilized" and added: "If these people are going to be mobbed before coming here, there is no use of having a court."

While testifying, the young prisoner squirmed in his chair in describing experiences in the "electric chair." He said the chair was wired and that at intervals the current was turned on until he confessed to strangling his 6 year old stepson, Joseph William Hopkins. He said he confessed because the pain became unbearable.

Louisville, Ky. Nov. 30—ANP—The Grand Jury is investigating third degree methods used on colored prisoners, five police officers have been called before the Grand Jury to answer the charge of beating a colored prisoner, breaking his jaw and two ribs trying to make him confess the killing of a police officer. Later the guilty was captured in another state.



The Mooney Case

If the colored people of America think that a weaker race can get justice in "courts of law" from a stronger race, when a deep prejudice exists against the weaker, let them read the case of Tom Mooney, an innocent white man, now serving a life sentence in the California State Prison. He just barely escaped the electric chair, because President Wilson, in time of war, made the governor of California that he feared lest the execution of Mooney might anger the working people and make it harder for him to enlist them to go shot at by the Germans.

Since that time Mooney, and his co-defendant Billings, have been proven innocent over and over again, of having exploded the bomb that killed some people in a parade in San Francisco in 1916. It has been shown that the witnesses on whose evidence conviction was secured, were liars,—probably hired liars. The important witnesses have owned up to their lies. The judge who presided at the trial, the prosecuting attorneys, the detectives who gathered the evidence, and all the jurors in the case, have declared that they never would have convicted Mooney and Billings if they had known that, when they were listening to these "eye-witnesses," they were listening to the performance of a battalion of hired and drilled liars.

In other words, a white man belonging to a group of whites against whom a prejudice exists, cannot get justice from his fellow-whites. What do Negroes expect?



Crime - 1929

## Boy, 9, Tells of Attack by Two Negroes—Parents' Condition Critical; Three Suspects Jailed.

BY D. A. HALLMAN.  
Special Staff Correspondent.

Marietta, Ga., August 6.—Spurred on by the statement of a nine-year-old boy that he saw two men attack his father and mother, his brother and that he himself was a victim of the attack, Cobb county officers late today were searching both in Marietta and Atlanta for the companion of the negro who was found slain beside his victim early today.

W. T. Bailey, owner of the "Pitchforks," a barbecue stand on the Marietta road near Smyrna, fought a terrific battle with the negro, B. Freeman, 26, when the latter broke into the Baileys' bedroom in the rear of the barbecue stand about 3 o'clock this morning. Bailey and his wife are at the Marietta hospital, both with fractured skulls and with scant chance to recover, doctors stated tonight.

Hugh Don, 7, younger son, also is in the hospital suffering from severe head injuries which the negro inflicted with a shotgun, used as a club. Laverne, 9, suffered a badly injured left hand in the battle, when the negro crushed his hand against the bed with the gun-stock. Several fingers are broken.

### Killed With Own Gun.

The negro himself was killed with his own gun, but whether he was shot by Bailey or whether the gun exploded accidentally, officers were unable to say today.

Late today Sheriff T. M. Saunders reported two brothers and the father of the slain negro are in custody here. They are held on charges of suspicion. Clyde Freeman was arrested in Atlanta this afternoon on information given the sheriff by Freeman's father.

Bailey was found about 50 yards from his back door on a path leading to the Smyrna aviation field, a short distance away. He was unconscious, as were his wife and younger son, but Laverne, 9, was able to give a frightened account of the attack.

The bodies were found by W. A. Wright, milkman, who reached the barbecue stand at 8:10 a. m. The cook, who had just arrived, rushed out of the stand shouting for help. Wright left his wife in the car and ran to the open back door. Inside he saw Mrs. Bailey, unconscious, and her head crushed. Hugh Don, on another bed, was lying in a pool of his own blood, also unconscious. His brother had a sheet pulled over his face. Wright said, but sat up in bed when he recognized the milkman's voice. In the next room, behind the counter, was the dead negro. A trail of blood led to Bailey, behind the house.

### Wright Calls Sheriff.

Wright called Sheriff T. M. Saunders, of Cobb county, and when the officer arrived on the scene it was found that two windows in the house had been broken. This gives credence, he died. A trail of blood from the officers state, to Laverne's statement that he saw two men, one in overalls and one in a coat. The dead negro was dressed in worn overalls.

Laverne shortly after noon today was able to give his first comprehensive account of the tragedy to a reporter for The Constitution.

"I heard a noise," he said, "and saw a negro man climb through the window. There was another negro already in the room. I sat up in bed and started to scream and the negro on the bed swung a club at me, but hit brother instead. Then he jumped over the bed and started to club daddy and mother. He kept clubbing them though daddy fought with him a long time. There was another man there in a coat. Then there was a shot and I went to sleep. When I woke it was daylight and someone was pounding on the front door. I started to go to the door but daddy moaned and told me not to because it might be someone else trying to kill us. So I pulled a sheet up over my head and then I heard daddy get up and go out the back door. He was groaning terribly. Then a long time after that the milkman came."

### Version Is Revised.

Laverne's statement caused officers to revise their version of the crime, as it was believed at first that the negro had clubbed the family, leaving the parents for dead, and that he had then thrown down his gun, which was broken off at the stock by the fury of his attack, going into the front room to rifle the cash register. That Bailey regained consciousness and staggered to the door with the gun in his hands, the negro turning just in time to receive the full charge of the 12-gauge gun in his right chest.

Sheriff Saunders tonight declared: "There is no doubt but that Freeman had an accomplice. It is doubtful if the second negro took part in the battle, but all our evidence points to a 'two-man' job. If Bailey could talk we might be able to apprehend the criminal at once, but the victim's condition prevents our questioning him for several days, if at all. We must work on what little evidence we have."

Laverne's statement makes it more probable, officers said last night, that the negroes had entered by separate windows, one by the back window and the other by a front window from which the screen was torn. The window in the bedroom where Freeman entered had the entire glass panel torn off. It probably was this noise that woke Laverne. After clubbing Hugh Don, the negro attacked the parents, attempting to beat them to death. Their bed was littered with splinters from the shattered gun stock and their heads crushed by repeated blows from the murderous weapon.

Holding the gun by the barrel, a reconstruction of the story shows, the negro stood over the bed belaboring

Mr. and Mrs. Bailey with the gun, the brutal attack early yesterday morning at a Cobb county barbecue stand. The weapon, striking the edge of the bed, is believed to have been discharged, the negro, fatally wounded, staggering into the front room where he died. A trail of blood from the bed to his body lends credence to this theory. His companion is believed to have leaped out the front window and escaped.

### Brother, Father Jailed.

Sheriff Saunders, soon after discovery of the attack, took Leon Freeman, brother of the dead man, into custody on a charge of suspicion and a short time later the father of the two negroes, John Freeman, was arrested. He left Marietta at noon with Sheriff Saunders, who said he was coming to Atlanta "after another negro."

When Sheriff Saunders returned later in the afternoon he had Clyde Freeman in custody. Other than to say he was holding all three on charges of suspicion, he would say nothing.

John Bishop, employed by the Gulf Refining Company, told officers that shortly after midnight he saw Freeman and another negro walking along the Marietta road toward Smyrna. Freeman was carrying a long object wrapped in a gunny sack, Bishop said, adding that the object's similarity to a gun caused him to pay unusual attention to the pair.

An hour later, returning to Atlanta, he again noted the negroes, this time about a mile from the scene of the clubbings, Bishop stated.

Freeman's father, who lives several hundred yards to the rear of the barbecue stand, denied to officers that he knew anything of the attack, declaring that his son did not live with him, although he had "been around" several times in the past few days. He did not come home last night, he said. Freeman's wife lives at Pratt and Decatur streets, Atlanta.

One of the workers at the barbecue stand recalled that Freeman had appeared at the stand three nights ago and had bought a package of cigars. Freeman also had been seen in Marietta on several occasions and a general round-up of negroes with whom he had been seen was in progress today.

The slain negro was barefoot when found, his shoes having been left outside the back window, along with a wrench, an ice pick and a knife.

## SECOND NEGRO SOUGHT IN ATTACK ON FOUR

Suspects Released as Examination Fails To Link Blacks With Marietta Fray.

Marietta, Ga., August 7.—(Special.)—After releasing a number of negro suspects held in connection with

the brutal attack early yesterday morning at a Cobb county barbecue stand, two young men, county officers today were continuing a search for the companion of John Freeman, negro attacked, who was left dead in the stand.

Doctors late today gave hope for the life of Mr. Bailey, most seriously injured of the four. It was said that he might return to consciousness Thursday and police hope he may be able to identify the second negro in the attack. Mrs. Bailey regained consciousness this morning, but was unable to give a coherent account of the affair, and doctors advised against extensive questioning because of her condition.

Laverne Bailey, 9, sustained a crushed skull, Hugh Don, 7, was injured about the head, not seriously, physicians say. According to the story told the sheriff by Laverne, two negroes had entered the bedroom when he awoke. He said Freeman began to beat his mother and father over the head with the stock of a shotgun, and in the struggle the gun was discharged, killing the black.

Mr. Bailey was found lying on the ground about 50 yards back of the stand, where he is supposed to have lost consciousness in his effort to summon aid for his wounded wife and children after the attack.

### STOP THE MURDER ORGY.

An alarming and disheartening toll of homicides is being taken almost daily in Georgia and many of them appear to be plain murders with a liquor explanation.

It matters not at all what opinion one may have of the rightfulness and obligations of the prohibition laws the higher demands of law, order and public safety must override such opinion. When laxity in enforcing the anti-liquor law leads to a common run of human slaughters in the community, society must enforce the law or sacrifice its integrity and securities of life.

Leaving out of the equation the existence of the prohibition amendment and the Volstead act, must have our peace establishment in all its agencies recognize that we have a Georgia prohibition law, antedating the eighteenth amendment and the national prohibition act. Our officers of the law are oath-bound to enforce that law even if the United States did not exist in fact. It was enacted to secure the sobriety of Georgia citizens and minimize liquor incitements to crime. The home-made prohibition law will serve those purposes in marked de-

grees if our own officials will respect their oaths and be duly diligent in enforcing the state's own anti-liquor laws. The people who do not want to be murdered should insist upon such local enforcements.

## GEORGIA COUNTY PAYS NEGRO CONVICT'S BOARD

Its Own Jail Unsafe, It Keeps Convicted Murderer Four Years in Another County.

Special Correspondence of THE NEW YORK TIMES.

JACKSON, Ga., Sept. 3.—Butts County, Georgia, probably has made a record in boarding a prisoner in the jail of another county until his case can be finally disposed of. For the last four years Butts has been paying Fulton County 60 cents a day for board for Tom King, a negro prisoner who has been convicted of murder but whose case is still before the courts.

King was arrested in November, 1925, charged with killing a Butts County police officer during a raid on a moonshine still. The negro was convicted on circumstantial evidence and was sentenced to die March 12, 1926. He got a new trial and was again convicted. This time he was sentenced to die March 18, 1927. He escaped through another error on the part of the State's attorney and had to be resentenced. Sept. 21, 1928, was the last date assigned for his execution. Then his case got to the Supreme Court and up to this time it has failed to render a decision.

King stoutly maintains his innocence. He was very well known around Indian Spring, a Georgia Summer resort where he was for twenty-five years employed as a gardener, and he has a number of white friends who have come to his aid. It was thought best to pay his board in Fulton County jail because the Butts County jail is old and not as safe as it might be.

## NEGRO FOUND GUILTY IN OVERBECK MURDER

Solomon Springer, negro, Thursday afternoon was sentenced to life imprisonment for the murder in July of R. L. Overbeck, night engineer at the Atlanta Ice and Cold Storage Company's Piedmont avenue plant. Sentence was passed by Judge John D. Humphries, of Fulton superior court.

After a four-day deliberation, the jury returned a verdict of guilty, with a recommendation for mercy. Trial of the case began Wednesday. Springer

Grady hospital and died July 22. A bloody wagon spoke, found in the engine room of the ice plant, was said to have been the weapon used in the killing.

The prosecution was conducted by Assistant Solicitor-General John H. Hudson. Springer was defended by Arthur W. Powell, Sid Holderness, of Carrollton, and H. J. Luttrell.

Beaten about the head, the engineer was found by fellow employees in the engine room at midnight on the night of July 17. Overbeck was carried to







# Two Black Face White Men Stage Fatal Hold-Up

Two white men Lonnie Lee Harn, 18, and Robert J. Ward, 30, with blackened faces, staged a sensational hold up here Monday morning early and as a result of their daring deed, Harn was killed in the crash of the car they were in and Ward is being held for murder for having caused the driver of a car to smash into a telephone pole at Wheaton and Perry streets.

At the trial in police court yesterday morning, it was brought out that about 2 o'clock Monday morning a car occupied by three white men drove up to the Queen City Lunch Room on Bryan street, west, and one of the men entered the restaurant for a lunch. In the meantime the two hold-up men with their faces blackened with burnt cork, appeared on the scene and with brandishing revolvers ordered the two remaining occupants to vacate the car. They robbed the two men of what money they had and as the third man emerged from the restaurant, he too, was lined up against the car and robbed. The hold-up men then ordered their victims to get into the car and drive away, the hold-up men riding on the running boards, one on each side.

After circling the block, the younger of the hold-up men evidently became nervous and jumped off. The car went around the block again and when it came back, the young man again jumped on the car and a pistol was poked into the side of the driver and he was told to drive on. The car was rented from a U-Drive-It-Yourself garage and was overdue. The manager of the garage was driving around looking for the car and caught a glimpse of it just as it sped away with the two hold-up men on the running board. Seeing that they were being pursued, the man on the running board next to the driver, pressed his revolver hard against the driver's side and told him to step on the gas. The driver obeyed and the machine was making around sixty miles an hour when the driver lost control of it at Wheaton and Perry streets and the car crashed into a telephone pole, fatally crushing the younger of the two hold-up men, who was riding on the right running board. The man on the other running board escaped and was later arrested when he called at the barracks to find out whether young Harn was there.

## NEGRO FEDERAL PRISONERS BEING TRANSFERRED

A few weeks ago the overcrowded condition of Federal prisons was broadcast over the country, and the Department of Justice was seeking relief. The conditions were such that relief was necessary before Congress could remedy the situation. This congestion was brought about because of the many convictions for violations of the National Prohibition Law. It seems that the effort of the government to enforce national prohibition had overflowed the Federal prisons with convicts throughout the country.

The Atlanta prison was possibly the most crowded and congested of any prison in the chain. Hence, the Attorney General began relief work here. According to news dispatches, the first move was to transfer 150 white prisoners from Atlanta to Leavenworth, Kansas. Mind you, no Negro prisoners were transferred to Kansas — only whites. Conditions and facilities at Leavenworth are equal in treatment to those in the Atlanta prison.

The second step was the transfer of 200 Negro prisoners to Chatham County, Georgia, to work on the public roads, and to be housed in steel cages, void of the opportunity to learn trades, have hot baths, and improve their general moral and physical condition as in a federal prison.

We do not like to raise the race question, but it appears to us that the Government raised the issue when it segregated the prisoners by transferring all whites to Leavenworth and all Negroes to hard labor on the public roads.

It appears to us that if the presiding judge sentenced a prisoner to serve time in a Federal prison the Department of Justice has no authority to change that sentence by consigning them to do time in State prisons. The law, as we understand it, does not permit the Government to lease its prisoners. If it cannot sell its prisoners into involuntary servitude, it cannot give them into involuntary servitude as a subterfuge to get around

the law. The Government has no more right to violate the mandates of the Constitution than individuals.

It comes to our attention that a goodly number of Federal prisoners have already been transferred from the Atlanta Federal Prison to the Chatham County chain gang, and we doubt the legality of the transaction. If the Government has not ample room to care for its prisoners, it should make the necessary room, and not give them into slavery to county chain gangs.

It speaks badly for the Republican administration at Washington and may create a campaign issue in 1930 and thereafter.

## PROTEST LEASING U. S. PRISONERS FOR ROAD WORK

N. A. A. C. P. Sends Telegram  
Of Protest To United States  
Attorney

New York, Nov. 5.—A report reaching the National Association for the Advancement of Colored People from Georgia that 200 Negro prisoners in the Federal prison at Atlanta are to be hired out to the State of Georgia to do road work, has brought a sharp letter from the N. A. A. C. P. to Wilcox De Witt Mitchell, U. S. Attorney General, protesting against such action. The report states that the leasing is contemplated in order to relieve overcrowding in the prison. Walter White, Acting Secretary of the N. A. A. C. P., in his letter to the Attorney General says in part:

"We are writing to inquire if this report is true. May we most vigorously protest against such a discriminatory practice. We should like to inquire why it is that only Negro prisoners are to be released. If such leasing is legal it would be far wiser, in our opinion, to lease out only white federal prisoners inasmuch as race prejudice in the state of Georgia would make them suffer at the hands of state officials and road gang camp bosses far less severely than would Negro prisoners.

"May we further point out that convict leasing to private companies by even some of the most backward states in America has been abolished because of the terrible evils connected with that system. This Association feels very positively that whether the practice is legal or not the Federal Government should under no circumstances commence such a practice as this. If the report is true which has come to us from very reliable sources that these 200 Negro federal prisoners are to be hired out to the state of Georgia, we respectfully and strongly request that such orders as may have been issued to this effect be immediately canceled."

# Laxity of Laws and Courts Fosters Crime, Boykin Says

BY HELEN AND OLIVE PARISH

Crime is prevalent in Atlanta as a result of the attitude on the part of the public and the courts which encourages disobedience to law and fosters incorrigibility. Solicitor-General John A. Boykin, declared in an interview Monday afternoon.

"There are more murders committed yearly in Atlanta than in the British Isles," Mr. Boykin declared. "Crime has increased tremendously in the past 20 years, especially among white boys under 25. A marked change has taken place in the character of law-violators, for, two decades ago, a white man was rarely charged with a crime involving dishonesty, theft, or similar acts of moral turpitude. Occasionally white persons were found guilty of acts of violence, such as fighting, or attack with intent to murder. At present, however, they are involved in every sort of dishonesty, from automobile theft to embezzlement. Today, we try fully as many white people as we Negroes."

Automobile stealing is primarily a white man's crime, according to Mr. Boykin. This does not indicate any disinclination on the part of colored persons to steal autos, but is merely testimony to the fact that a white man can "get away with it more easily," he said.

Bootlegging is a field in which Negroes predominate, although the transportation and organization of the trade is carried on almost exclusively by whites, and the distribution in small amounts by Negroes. His experience shows "bootlegging is a tempting bait to criminals of all sorts, for practically every crook has his finger in some bootleg pie. Solicitor Boykin adds that men of weak character will take to bootlegging sooner than any other form of crime, but are apt to end their criminal careers in other occupations, since bootlegging is not continuously profitable.

The chief cause of modern crime, affirmed the solicitor, lies in the fact that crime is no longer frowned upon by society or the courts. "A criminal is not ostracized as a fellow man or considered as an odious object," Mr. Boykin said. "Instead, he becomes a fascinating gangster, an unfortunate darling, pampered, pardoned, reprieved—but never punished. Every possible device has been brought to bear to make the odds favor the criminal in his fight against society."

"We coddle our convicts, and do our best to make the criminal's lot easy and attractive. No respect or fear for the law exists to prevent a man from committing a crime. The duty of the law is not only to punish wrong-doers, but to prevent innocent people from going crooked. The laxity of our law enforcement is responsible for the crime wave. We have but to point to our harvest of thugs, yeggmen, safe-blowers and murderers, to realize that America is head and shoulders above other countries in the production of crooks. The deplorable fact is that, in nine cases out of ten, we make them criminals."

## GOVERNMENT LEASING CONVICTS

The convict leasing system in Georgia has been abolished more than twenty years ago. Most of us recall very vividly the diabolical method of farming out prisoners, the sufferings entailed by them and the great disgrace heaped upon the state. Sentiment for better treatment of the convicts prevailed the state, compelling the officials and members of the legislature to take effective action, which resulted with its abolishment. While the present system is far from being a model, yet the improvement towers over the original one. There are forces now in the state laboring for greater reforms in order to reclaim those who have gone wrong rather than turning them loose on the public at the end of their term, more hardened than before they were convicted. The efforts of these reformers will be given a considerable set back by the action of the United States government in doing that which Georgia abolished twenty years ago. It has been reported that the government would send two hundred prisoners from the Atlanta penitentiary to Chatham county to be farmed out for road work. A large part of this number has arrived and domiciled at Camp No. 3. The action of the government in sending these prisoners here does not reflect creditably, and no doubt it may be proved illegal. In being found guilty, these prisoners were sentenced to pay the various penalties in the prison in Atlanta. Has the prison authorities there or elsewhere the power to make this move? This question is mooted and deserves investigation. Again, if all classes of prisoners were so treated, the action might not appear so acute if white prisoners were also included





Crime - 1920

Florida.

## WHITE MAN TO DIE FOR SLAYING OF NEGRO, FIRST IN FLORIDA

New York, March 29th—What is declared by the Jacksonville, Fla. Journal to be the first death sentence upon a white man for killing a Negro in the State, has been imposed upon Britt Pringle of Duval Co., for brutally murdering an aged Negro, clipping from the Journal received by the National Association for the Advancement of Colored People states:

"Pringle will be the first white man in Florida, and perhaps in the South, to suffer death for the slaying of a Negro."

**CITIZEN  
KEY WEST, FLA.**

MAY 8 1920

### HAS FLORIDA A HEART?

J. B. Brown, aged Ocala negro, wants a pension from the state of Florida because he served seventeen years of a life sentence in prison for a murder in Putnam county which he did not commit and if a bill introduced in the senate by Senator W. T. Gary, of Ocala, is enacted into law he will get it.

It was the night of October 17, 1901, that Harry E. Wesson, a widely known locomotive engineer on the old Plant System, was shot and killed in the railroad yard at Palatka soon after his arrival there on a run from southern Florida. Brown, a fireman, was arrested as a suspect as was Jim Johnson, the negro fireman who had made the run with Wesson. Brown had been about the railroad shop shortly before the murder. Johnson, although strongly suspected, offered a perfect alibi and was liberated.

At Brown's trial a fellow negro prisoner confined in the Palatka jail offered testimony relative to conversations with him which resulted in conviction and a sentence of death. Many citizens of Palatka, and the newspapers of that city, were convinced of his innocence because the evidence was only circumstantial, but their activities in his behalf were of no avail.

Brown's escape from hanging was little short of miraculous. In issuing the death warrant the

clerk in the governor's office at Tallahassee through error substituted the name of Noah Tilghman, a prominent citizen of Palatka and foreman of the jury which had convicted the negro, for that of Brown. The sheriff of Putnam county, therefore, received a warrant authorizing him to hang Tilghman instead of Brown. Whether Tallahassee regarded Brown's narrow escape from hanging as an act of Providence no one knows now, because it was so long ago, but the upshot was that Brown's death sentence was commuted to life imprisonment.

Jim Johnson, Wesson's fireman on the night of the murder, died a few months ago. On his deathbed he confessed that he and not Brown, had killed Wesson. As a result of the confession Brown was given an unconditional pardon.

Brown is an old man now, bent and feeble with age and the hardships incident to the life of a convict and he believes he should be compensated in some way for the seventeen years he served as a convict, the greater part of the time leased to a

naval stores operator who paid the state "rent" for his services.

The pension bill introduced by Senator Gary is Senate Bill Number 307. It would provide \$30 per month for life. It will be interesting to Floridians to keep it in mind and see whether the State of Florida has a heart or not.

**JOURNAL  
JACKSONVILLE, FLA.**

### State Would Make Amends

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**NEWS**

MAY 4 1920

### SEEKS PENSION

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The pension bill introduced by Senator Cary is Senate Bill Number 307. It would provide \$30 per month for life. It will be interesting to Floridians to keep it in mind and see whether the state of Florida has a heart or not.—State Chamber of Commerce.

## RECORD WILKES-BARRE, PA.

MAY 23 1929

### Homicide Deductions

The murder record in the United States is far greater than an unformed person would imagine, taking into consideration the high state of civilization and the ingenuity manifested in the solution of many perplexing problems. What we cannot account for is the great variation from certain rules of reasoning by which we interpret statistics.

It is commonly supposed that aliens, ignorant, suddenly released from oppressive conditions in the lands from which they came, many of them with a low sense of moral responsibility, are the worst offenders; that by far the most murders are committed in the big cities; that the much greater percentage of

murders in the South as compared with the North is due to the large proportion of Negro population in the South.

A recent survey clearly shows the fallacy of some of the conclusions and throws doubt upon others.

In the South, where aliens are scarcer than in any other part of the country, the number of homicides last year exceeded by about four hundred per cent. the average for the entire country. For the six largest cities in the country the murder rate averaged 10 for every 100,000 of population, but the ten leading southern cities averaged 38.6 per cent. Memphis had the surprising record of 60.5 per 100,000 of population last year and Birmingham 54.9. In a percentage according to races the white people of the South were guilty of a far greater number of murders than the white people of the North.

Chicago has attained an unenviable crime record but a number of cities exceeded Chicago in the number of capital crimes, some in the proportion of four to one. It is commonly supposed that capital punishment is

a greater deterrent of murder than life imprisonment, but Dr. Frederick Hoffman, investigator for the Prudential Life Insurance Company, says that States that have the death penalty have more murders in proportion to population than States where the death penalty does not exist. The death penalty, he says, acts as a deterrent to swift and accurate justice."

The great question is, why has the United States more murders in proportion to population than any other civilized country, more than in countries which we regard as far down the scale of intelligence and respect for law and order? Is it due to imperfect methods of dealing with this form of crime? There is no satisfactory answer to these questions. They make up an interesting subject for further study. We must know the reason before we can get at the remedy.

STAR

Ocala, Fla.

MAY 15 1929

### PRECEDENT DEFEATS JUSTICE

The state of Florida hasn't a heart because of the necessity for economy and because it might establish a precedent.

J. B. Brown, aged Marion county negro who served seventeen years of life sentence for a murder he did not commit, will not get the thirty dollars a month pension proposed in Senate Bill No. 307 introduced by Senator Gary, unless the senate committee on claims reconsiders its action. The committee has reported the measure unfavorably because, according to reports from Tallahassee, one member believes it would set a precedent and the others have in mind the necessity for economy in the expenditure of public money.

Brown, convicted on flimsy circumstantial evidence, was sentenced to hang at Palatka for the murder of Harry E. Wesson, a locomotive engineer. That he did not hang was due solely to the fact that a clerk in issuing the death warrant at Tallahassee erroneously authorized the sheriff of Putnam county to hang the foreman of the jury which convicted the

negro. The sentence was commuted to life imprisonment. Just a short time ago Jim Johnson, another negro, always believed by many to have been the murderer confessed on his deathbed that he and not Brown, had slain Wesson.

Brown was in the chain gang during that period when the state leased its convicts to turpentine operators and phosphate mines at so much a head. It is estimated that the state received approximately \$2,500 for his services during the long years he paid the penalty for the wrong doing of another.

One member of the committee, according to Tallahassee reports, opposed Brown's plea because it might "set a precedent." In Mississippi nearly thirty years ago the authorities led a white man to the scaffold, placed a rope around his neck and dropped the trap in order that he might pay the penalty for murder. The rope broke and he fell to the ground. The governor commuted the death sentence to life imprisonment because of the insistence of many that the breaking of the rope was an act of Providence. Five years ago a man died in Mississippi. On his deathbed he confessed that he and not the life termer was guilty of the murder. The wrongly convicted man was pardoned and the legislature of Mississippi voted him the sum of \$5,000, poor compensation for what he had experienced but something, nevertheless.

Those who have been in Florida as long as ten years are familiar with the convict lease system and the evils thereof. They viewed it from the outside. Brown experienced it from the inside for seventeen long years, the best years of his life. The great state of Florida, which utilized his services for seventeen years now would not expend thirty dollars a month to help an old negro during the few remaining days of his life forget what it had done to him.

The Daytona Beach Times in discussing Brown's case editorially, declares the state received many hundreds of dollars for this negro's work, that he did not hang was due solely to the fact that a clerk in issuing the death warrant at Tallahassee erroneously authorized the sheriff of Putnam county to hang the foreman of the jury which convicted the

dom and such pleasures and joys as might have come to him.

"The state of Florida can never restore those seventeen years any more than it can restore the youth and the freedom of which he was robbed.

"It is to be hoped the legislature has a heart and will give this old negro the comfort he can receive through a thirty dollar a month pension for the balance of his ruined life."

The senate committee on claims could very well reconsider its action on the bill because this is one pension measure above all criticism. There is not a voice in all Florida that would condemn the legislature for making amends for a terrible mistake.

STAR

Ocala - Fla.

MAY 25 1929

highly specialized business.

### SOME HOPE FOR BROWN

The claims committee of the senate is disposed to do everything it can, consistent with good judgment, for the relief of J. B. Brown, aged Marion county negro, who served a number of years of a life sentence in prison for a murder he did not commit only to be pardoned when the real slayer confessed on his deathbed. Brown was convicted for the murder of Harry Wesson at Palatka in 1901 and served eleven years in the turpentine camps under the convict lease system.

Brown is seventy years old and the original bill introduced by Senator Gary would have appropriated for his relief a sum equivalent to that paid the state for his services under the convict lease system, something like \$4,300. The objection of the committee to the measure, which it reported unfavorably, was that if such a sum were given a person of Brown's age and mentality it would benefit him very little because the old man would not know how to conserve it properly. The committee is disposed to grant Brown a reasonable pension, payable in monthly instalments and Senator H. Scales, chairman, has expressed himself as in favor of another bill



Crime-1929

which Senator Gary proposes, a measure which would grant Brown forty dollars monthly so long as he lives.

Chairman Scales has made it plain that the action taken by the committee in reporting unfavorably Senator Fary's original measure, Senate Bill 307, was for the best interest of the old negro for the committee was not disposed to favor the appropriation of a lump sum which might have made Brown the prey for those who seek money in illegitimate ways.

## TRIBUNE

MAY 16 1929

### ECONOMY VS. JUSTICE

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Those who have been in Florida as long as 10 years are familiar with the convict lease system and the evils thereof. They viewed it from the outside. Brown experienced it from the inside for 17 long years,

the best years of his life. The great State of Florida, which utilized his services for 17 years now would not expend \$30 a month to help an old negro during the few remaining days of his life forget what it had done to him.

The Daytona Beach Times in discussing Brown's case editorially, declares the state received many hundreds of dollars for this negro's work, to which it was not entitled.

"But it is not the work which the negro did that counts most," it continued. "It was the taking from him unjustly 17 years of his life during which he was entitled to freedom and such pleasures and joys as might have come to him.

"The State of Florida can never restore those 17 years any more than it can restore the youth and the freedom of which he was robbed.

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Florida.

CITIZEN  
KEY WEST, FLA.

MAY 24 1929

### THE OTHER SIDE

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## HARDWICK PLEADS FOR DOOMED FLA. SLAYER OF NEGRO

Tallahassee, Fla., July 10.—(AP)—The fate of Britt Pringle, Jacksonville, awaiting execution at the state farm for killing a negro, will probably be decided tomorrow by the state board of pardons. Governor Doyle E. Carlton announced late today.

The board took under consideration this morning another appeal on Pringle's behalf, made by Thomas W. Hardwick, former Georgia governor and United States senator.

Mr. Hardwick read into the board's records affidavits from a score or more relatives, friends and acquaintances of Pringle, all attesting the condemned man's alleged unbalanced mind.

Then Hardwick himself made a personal plea for a commutation of sentence.

The former Georgia executive and colon spoke for some time upon the subject of capital punishment. He told the board that he was convinced of Pringle's irresponsibility and reminded the members that "a mistake would be a mistake of mercy."

## GOVERNOR SIGNS EXECUTION ORDER FOR WHITE MAN

Tallahassee, Fla., June 22.—(AP)—Governor Carlton has signed the death warrant for the execution of Britt Pringle, Duval county white man, for the killing of a negro. It was announced at the office of the chief executive today.

The warrant calls for the execution at the Reformatory farm during the week of July 1. The governor's signature was placed upon the warrant just before his departure yesterday for Wisconsin.

Pringle was convicted of having mulcted the negro out of a small store, and later killing him on the outskirts of Jacksonville. The case was affirmed by the Florida supreme court, and the state board of pardons at its last semi-annual meeting denied a petition for clemency.

In the event that Pringle dies, it will probably be the first time in the history of the state that a white man was executed for killing a negro, officials said.



*Palatka Fla.*  
MAY 24 1929

## FLORIDA SEEMINGLY LACKS A HEART.

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cause it might "set a precedent." In Mississippi, nearly thirty years ago, the authorities led a white man to the scaffold, placed a rope around his neck and dropped the trap in order that he might pay the penalty for murder. The rope broke and he fell to the ground. The governor commuted the death sentence to life imprisonment because of the insistence of many that the breaking of the rope was an act of Providence. Five years ago a man died in Mississippi. On his deathbed, he confessed that he and not the life term was guilty of the murder. The wrongly convicted man was pardoned and the legislature of Mississippi voted him the sum of \$5,000, poor compensation for what he had experienced, but something, nevertheless.

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The Daytona Beach Times, in discussing Brown's case editorially, declares the state received many hundreds of dollars for this negro's work, to which it is not entitled.

"But it is not the work which the negro did that counts most," it continued. "It was the taking from him unjustly seventeen years of his life during which he was entitled to freedom and such pleasures and joys as might have come to him."

"The state of Florida can never restore those seventeen years any more than it can restore the youth and the freedom of which he was robbed."

"It is to be hoped the legislature has a heart and will give this old negro the comfort he can receive through a thirty dollar a month pension or the balance of his ruined life."

The senate committee on claims could very well reconsider its action on the bill because his is one pension measure above all criticism.

## WHITE MURDERER OF

## NEGRO GRANTED REPRIEVE

(C. N. S.)—Governor Doyle Carl-  
The State Board of Pardons declin-  
ed Wednesday to interfere with his  
execution and Governor Carlton indi-  
cated at that time that he would abide  
by the Board's findings. He later  
granted a ten day reprieve.  
Pringle was found guilty of enticing  
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him with an axe. Testimony indicat-  
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There is not a voice in all Florida that would  
condemn the legislature for making amends for  
terrible mistake. — State Chamber of Com-  
merce.



MAY 24 1929

## FLORIDA SEEMINGLY LACKS A HEART.

The state of Florida hasn't a heart because of the necessity for economy and because it might establish a precedent.

J. B. Brown, aged Marion county negro, who served seventeen years of a life sentence for a murder he did not commit, will not get the thirty dollars a month pension proposed in Senate Bill No. 307 introduced by Senator Gary, unless the senate committee on claims reconsiders its action. The committee has reported the measure unfavorably because, according to reports from Tallahassee, one member believes it would set a precedent and the others have in mind the necessity for economy in the expenditure of public money.

Brown, convicted on flimsy circumstantial evidence, was sentenced to hang at Palatka for the murder of Harry E. Wesson, a locomotive engineer. That he did not hang was due to solely the fact that a clerk in issuing the death warrant at Tallahassee, erroneously authorized the sheriff of Putnam county to hang the foreman of the jury which convicted the negro. The sentence was commuted to life imprisonment. Just a short time ago, Jim Johnson, another negro, at ways believed by many to have been the murderer, confessed on his deathbed that he and not Brown, had slain Wesson.

Brown was in the chain gang during that period when the state leased its convicts to turpentine operators and phosphate mines at so much a head. It is estimated that the state received approximately \$2,500 for his services during the long years he paid the penalty for the wrong doing of another.

One member of the committee, according to Tallahassee reports, opposed Brown's plea be-

cause it might "set a precedent." In Mississippi, nearly thirty years ago, the authorities led a white man to the scaffold, placed a rope around his neck and dropped the trap in order that he might pay the penalty for murder. The rope broke and he fell to the ground. The governor commuted the death sentence to life imprisonment because of the insistence of many that the breaking of the rope was an act of Providence.

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"But it is not the work which the negro did that counts most," it continued. "It was the taking from him unjustly seventeen years of his life during which he was entitled to freedom and such pleasures and joys as might have come to him.

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There is not a voice in all Florida that would condemn the legislature for making amends for a terrible mistake. — State Chamber of Commerce.

## WHITE MURDERER OF NEGRO GRANTED REPRIEVE

(C. N. S.)—Governor Doyle Carlton granted a ten-day reprieve Friday, Britt Pringle, white, of Jacksonville, Florida, sentenced to pay the death penalty for the death of John Simmons, in a swamp near Jacksonville.

The reprieve prevented him from being the first white man ever to pay the death penalty in Florida for the murder of a Negro. Pringle was scheduled to die at 10:30 a.m., Friday.

The State Board of Pardons declined Wednesday to interfere with his execution and Governor Carlton indicated at that time that he would abide by the Board's findings. He later granted a ten day reprieve.

Pringle was found guilty of enticing Simmons into a swamp, and killing him with an axe. Testimony indicated that Pringle wanted Simmons' woodyard business.



## SUICIDAL MANIA CATCHING.

According to the observations of Dr. Frederick L. Hoffman, the rate of suicide among American Negroes is bound to increase with the more thorough assimilation of this group to American standards of living. Dr. Hoffman is the author of "Race Traits and Tendencies of the American Negro," a work noted for its many unwarranted conclusions, which have been refuted by the course of events in the years since its publication.

According to a review of Dr. Hoffman's latest work, published in the Journal of Negro History for April, primitive man rarely commits suicide. Yet, he says that suicide by slaves has not been uncommon. The Negro being regarded as primitive would naturally show fewer suicides in proportion than the white population. This is illustrated by statistics showing that in 1924 the white suicide rate of Georgia was 9.6, while that of persons of African blood was 1.6. In Louisiana it was 9.0 for the whites and 2.7 for the Negroes. In Mississippi, it was only 4.8 for the whites and 0.9 for the Negro. Evidently there must be more to give for in Mississippi, than the history of that state would indicate.

For the registration states, Dr. Hoffman found that the rate of suicide for the Negro population was only 3.6 while the white rate for the same states was 13.0. The author does not find that the Negro suicide rate has recently increased, but he contends that more thorough assimilation will bring this to pass. He argues that for all practical purposes, the Negroes live in much the same manner as the whites, which is a remarkable concession for a writer dealing with statistics. He says further: "They have about the same religious connections, enjoy about the same civil status, and to a large extent are reasonably well enough educated to comprehend the difference between right and wrong. If, therefore, the Negro suicide rate is decidedly lower than the

white, I feel it may safely be attributed to racial influence rather than to the American environment."

Now, what does that racial influence consist in, if Dr. Hoffman's conclusion of endurance that enables the race to suffer without seeking refuge in self-destruction, or is it a phase of religious belief that forbids the taking of one's own life? That is an interesting question for debate.

## NEWS

## Do We "Export" Too Much Crime News?

Harry Chandler, publisher of the Los Angeles Times, told the American Newspaper Publishers' Association recently that there should be a direct news service from the United States to the Orient, "that the East may get reliable and representative news from America." This is an excellent suggestion, and it is true, as he stated, that the sort of news sent to the Orient from America "is a shame and a detriment to this country." He said: "A false conception of America and the American people has been planted in the thoughts of the people of Asiatic countries because of the character of the news sent out from the United States. Every Chicago murder or Alabama lynching is treated at great length with nothing constructive in the news reports, but all destructive."

This is disturbing, naturally, and it is small wonder that the Orient, as well as Europe, gets the impression that this is a lawless country, and that in the United States murder flourishes and robbery and other violent crimes are numerous.

Commenting on this, the Christian Science Monitor declares editorially: No citizen of the United States traveling abroad has failed to be shocked and disgusted by the character

of the news from America published in many of the papers of England and the Continent. Which is sad, but true.

We believe that it is a mistake to

send out to the Orient, and to Europe, news from America that is chiefly news of crime in America. This country is doing many wonderful things that should be interesting to the rest of the world.

But isn't it true that news is "the unusual" and isn't it unusual to find a country as civilized as the United States with such a vast number of crimes?

Isn't it true that the United States, while it is the richest, the most astoundingly developed, and the country where the common people live in luxury undreamed of by the common people of the rest of the world, is also the only civilized country where crime is rampant, where the police are failing to cope with the savagery of the underworld?

That is why the rest of the country is so deeply interested in the crimes of America—it finds the paradox of one of the greatest nations in the world all but overwhelmed by its thugs a daily thriller, beside which all other American thrills are pale and dull.

The one way to assure the world less crime news from America is to reduce crime in America.

If there's anything wrong with this logic, point it out!

## NINETY PER CENT WHITE

Judge Rainage in his charge to the Grand Jury in the criminal court of McCormick County, remarked that when he, as a special judge back in 1911, began holding courts, about 90 per cent of the criminals were Negroes. Now the 90 per cent has changed and it is now white. The colored people should feel good over this showing. Not that they should rejoice over the 90 per cent criminality of white people, but because they have become law abiding. This is so to a large extent because the whites have given most of their attention to them. No sympathy, pull or any other kind of influence operated in their behalf. If they violated the law, sure and swift punishment followed, even in the rather trivial infractions. Not so, however, has it been with white violators.

All kind of leniency has been shown, even in serious crimes. The result has been, the whites have taken the law as something of a joke, or at best as something just to give them a few moments of discomfort. The sternness of the whites with the colored people have made law abiding Negroes, but so much attention has been given the colored brothers that there has been but little time to look at themselves. The result is, increased lawlessness on the part of the whites. It hardly pays to keep one's eye all the time on the other fellow's yard. Better give your own a little squint now and then.

## PRESIDENT ASKED TO NAME RACE MAN TO STUDY CRIME

President Hoover has been requested by the Association for the Advancement of Colored People to appoint a colored man on his proposed law enforcement commission on the ground that the colored man is notoriously deficient in knowledge of nonenforcement of law. Several names have been suggested, among them William H. Lewis, of Boston; Perry E. Lewis, of Chicago; and Judge James A. Cobb, of the Municipal Court of the District of Columbia.

Colored leaders who have taken this subject up with the President assert they want an opportunity to disprove the frequent charge that the drinking habits of the colored man made it necessary for the South to unite for the nation-wide dry laws.



## MORE WHITE CRIMINALS THAN COLORED

Every now and then the judges of the Criminal Courts call attention to the fact that the whites constitute the majority of offenders before the Court. Times certainly have changed. Sometimes back the Negro was blamed for the high percentage of crime. The Negroes should get a deal of satisfaction out of the fact that they are becoming more and more law abiding. Of course, while this fact is gratifying, there can be no pleasure in the fact that the whites seem to be more criminal. Such a condition makes it all the harder for the colored people to maintain their upward climb into the realm of good, law abiding citizenship. Lawlessness on the part of the whites will have its influence.

The people have a tendency to make good colored people court, has recently commetted on the great number of whites before the court, emphasizing the fact that their number is greater than that of the colored people. Certainly, tho, the good judge knows the reason. If the white juries would just forget that the white man's laws were made to apply fearlessly and with certainty to white lawbreakers as well as to the colored, a better condition would exist. Until such is the case, the whites will continue to be in the majority. Negroes know that if they violate the law certain and oftentimes drastic punishment awaits them. Let the same idea be impressed on the whites and the percentage of criminals will not be so high. Mere deploring will not do, 'tis action only that will bring results. Meanwhile, let the colored population continue to observe the law.

### ADVERTISER

*Harwick H. Y.*

JUN 13 1929  
FOUR CAUSES OF CRIME

ished as a criminal.

That our compulsory education laws should be strengthened, as education lessens crime.

That the Boy Scout movement should have the moral and financial backing of every good citizen. It

During the last twenty years 20,000 seems to be the surest way to keep young men between the ages of boys out of the penitentiary. eighteen and twenty-five years have That church membership seems to been admitted to the Indiana Reformatory be 96 per cent effective and should tory now at Pendleton. be encouraged. To oppose our

More than 85 per cent of them came churches is to encourage crime. Here from broken homes, where the father are four splendid ways to discourage and mother had separated and remarried—lessen divorce, support education, the Boy Scouts and the church.—

Only one per cent of Indiana's population cannot read or write, but that one per cent furnishes 37 per cent of the reformatory inmates. Only one college graduate and only fifteen high school graduates were in all that 20,000 youth. Get those figures.

Not a single Boy Scout has ever been sent to the reformatory.

Only four per cent of the 20,000 prisoners belonged to a church. The percentage of negroes and foreigners is very low, most of the criminals being everyday Americans, born and reared in this country.

These figures mean something to every good citizen. That broken homes breed crimes and the person who breaks up a home should be pun-



Crime-1929

Georgia

HOUSTON, TEX.  
POST-DISPATCH

DEC 18 1929

### Leasing Negro Convicts

THE mutual admiration that has existed between the colored people and Mr. Hoover may undergo a cooling, if the administration goes in for segregation of the sort that has been ordered by Attorney General Mitchell in farming out Federal prisoners. When the chief of the department of justice made arrangements with Chatham county, Georgia, to supply the county with Federal convicts to work on the county's roads, he specified in the contract that the prisoners sent should be negroes. Racial discrimination was thus brought directly into this deal. Negroes will not be the only ones who will want to know why only prisoners of the colored race are to be farmed out, or leased. The lease system is deplorable under any circumstances. It is more so when the color of the prisoner enters into the question of whether he shall be leased. What has happened, one wonders, that this discrimination against the colored race should have been perpetrated by a member of the Hoover official family? Mr. Hoover has been visualized by the country as an opponent of the whole principle of segregation. Did he not abolish segregation in the department of commerce over which he presided, and was not the wife of the negro congressman from Chicago's black belt entertained at tea in the White House by the First Lady of the Land? Wherefore, should only negroes be shipped South for work on county roads and white convicts exempted from that sort of labor? Isn't some one high in administration circles slipping in the program of bringing social equality between the races?

A. T. WALDEN,  
Attorney-at-Law,  
Atlanta, Ga.

which might be brought in behalf of them or any one of them.  
This November 13, 1929.

## THE UNITED STATES SENATE TO PROBE THE TRANSFER OF

### FEDERAL CONVICTS TO GEORGIA CHAINGANGS

The transfer of federal convicts to state chaingangs is a legal question and it is hoped the Senate probe will investigate the authority of the Department of Justice to make a contract with a state or anybody else to change the sentence of a federal court.

The Department of Justice has done everything else but meet the legal question involved. It has set up the humane treatment the convicts are receiving at the hands of the Georgia authorities. It has quoted the satisfaction of the prisoners at the camps, who had no choice except to go where they were carried, but has said nothing about the legal right of the Department to make the transfer, which is equivalent to a change and re-sentence of the prisoners without constitutional procedure in court, and in the absence of the convicts involved.

The Department has not shown in a single instance where a convict was consulted about the transfer. Who believes that a convict living in a steam heated house, equipped with baths and every sanitation conducive to good health, would prefer living in a hangar with no baths or sanitation, in the woods?

Granting for the sake of the argument that the iron cage hangar facilities at Savannah are equivalent to the modern, up-to-date sanitary comforts of the federal prison in Atlanta, that does not settle the legal right of the Department of Justice to change the decision of a Federal judge. All these things being equal, the legal question still remains unsettled and it is confidentially hoped that the Senate probe will settle the question for all times to come. This question is settled by federal statutes and the Department should enlighten the public on its legal authority, rather than to send a committee to investigate the physical condition of the pens the convicts are caged in.

The public will give but little credence to the committee's report, for the reason, it was composed of understudies of the Department of Justice, who would dare not criticize their superior officers who sent them out with specific instructions. It would be unreasonable to expect these inferior officers to criticize their superiors, or make any report prejudicial to any action the Department had taken, and we say this without reflection upon the integrity of the gentlemen who made the investigation as per order of the Department.

The law provides that the Department shall not do exactly what it has done, and prescribes the penalty for violation. We quote the law below. Let us grant that the contract was made to relieve the congested conditions at the Atlanta prison. If so, that does not make it legal. The Government cannot do an illegal thing to relieve a congested situation. Section 10563, Federal Statutes, limits the employment of United States prisoners sentenced to the Atlanta prison, and beyond this limitation, not even the Department of Justice can go. The section provides that,

"... Provided, further, that convicts in United States Penitentiary in Atlanta, Georgia, may be employed in the manufacture of articles and the production of supplies for said penitentiary; in the manufacture of supplies for the Government that can be manufactured without the use of machinery; in the construction, extension, and repairs of buildings and enclosures of the prison, and in making necessary materials therefor; and in the cultivation and care of the prison grounds and farms." (March 3, 1901, C. 853, Sec. 1, 31 Stat. 1185.)

Now, if this statute provides for or authorizes the Department of Justice to contract out federal prisoners from the Atlanta prison to the Chatham County chaingang for love of money, we do not so interpret it. Senator Wagner and Congressman LaGuardia are rendering their country a great service when they call on Congress to investigate this unusual invasion of the rights of helpless convicts—an apparent violation of the law by the Department of Justice that the

Constitution calls on the Department to enforce.

Can any sane man imagine why the Government would pay Chatham County sixty cents a day to board Federal prisoners to work for Chatham County on the public roads for nothing? It is a serious question.

It is apparent that the State of Georgia applied for Negro convicts and not white convicts, and the Department catered to the race prejudice that characterizes the policy of the Government in handling the Negro question.

We hope the Senate will go thoroughly into the legal phase of this important question. Our fight has been that justice might be done in the premises. We have no patience with the policy of committing crime to enforce the law.

Read the law covering the question at issue:

#### RE: HIRING OUT UNITED STATES CONVICTS.

The pertinent and applicable laws of the United States are as follows:

##### "Section 10524—HIRING OUT UNITED STATES CONVICTS.

"It shall not be lawful for any officer, agent, or servant of the Government of the United States to contract with any person or corporation, or permit any warden, agent, or official of any state prison, penitentiary, jail, or house of correction where criminals of the United States may be incarcerated to hire or contract out the labor of said criminals, or any part of them, who may hereafter be confined in any prison, jail, or other place of incarceration for violation of any laws of the Government of the United States of America."

(Fed. 23, 1887, C. 213, Sec. 1, 24 Stat. 411.)

##### "Section 10,625—SAME: PENALTY.

"Any person who shall offend against the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be imprisoned for a term not less than one year nor more than three years, at the discretion of the court, or shall be fined not less than \$500.00 nor more than \$1,000.00 for each offense."

(Feb. 23, 1887, C. 213, Sec. 1, 24 Stat. 411.)

##### "Section 10,527—WHERE SENTENCES FOR MORE THAN YEAR EXECUTED.

"In every case where any person convicted of any offense against the United States is sentenced to imprisonment for a period longer than one year, the court by which the sentence is passed may order the same to be executed in any state jail or penitentiary within the district or state where such court is held, the use of which jail or penitentiary is allowed by the legislature of the state for such purpose." (R. S. Sec. 5541.)

##### Section 10,563—MANAGEMENT OF UNITED STATES PENITENTIARY OF ATLANTA, GA., TRANSFER OF PRISONERS; LIMIT OF EMPLOYMENT.

"... Provided further, that convicts in United States Penitentiary in Atlanta, Georgia, may be employed in the manufacture of articles and the production of supplies for said penitentiary; in the manufacture of supplies for the Government that can be manufactured without the use of machinery; in the construction, extension, and repairs of buildings and enclosures of the prison, and in making necessary materials therefor; and in the cultivation and care of the prison grounds and farms."

(March 3, 1901, C. 853, Sec. 1, 31 Stat. 1185.)

#### OBSERVATIONS

1st. Section 10,524 above quoted is commonly known as the "United States Anti-Lease Act" of 1887, and was designed to abolish the practice of hiring and leasing Federal convicts.

If it is unlawful and criminal to hire or lease Federal convicts it would certainly be equally unlawful and criminal to turn them over to any other agency to work for opinion would authorize a restoration to their former place of detention upon a habeas corpus proceedings.



## THAT GEORGIA PRISON CHAIN GANG

Government officials, who are responsible for the letting out of Negro United States prisoners to the state of Georgia, are having a hard time trying to explain their actions in this case.

Despite the rosy stories to the effect that the prisoners, themselves, are satisfied and that the men are not "hired out" to the state, but, on the other hand, the state of Georgia is paid fifty-three cents a day to keep them, there is a general feeling that there is something crooked about this deal.

As for us, we naturally look upon the deal with disfavor. The farming out of Negro prisoners under Georgia masters is too close to the Georgia chain gang system. And judging from the reputation which the Georgia chain gang has for its brutality to Negroes, it's reasonable to presume that Georgia is the worse hell hole in America, so far as convict system is concerned.

How any sane person could believe that Negro prisoners, though belonging to the United States government, could be treated anything like decent under the control of the state of Georgia is beyond our conception.

We have no more faith in the supposed governmental contract with the state of Georgia that the prisoners will be treated "humanely" than we have in the United States constitution protecting a Negro down in Georgia. If the United States constitution, which guarantees protection for Negroes, has no affect down in Georgia, "hown'd hell" is a contract going to protect Negro prisoners? We leave it with you to decide.

## BROOKLYN EAGLE

DEC 17 1929

### Leasing of Federal Convicts.

The prompt action of the United States Senate on motion of Senator Wagner of New York asking an explanation of the leasing of Federal Negro convicts to the State of Georgia for road work might have been anticipated. The line drawn between Negro and white convicts is calculated to arouse bitterness among colored voters in this and in other States, where colored people vote and have their votes counted. Senator Borah is quoted as saying: "This seems to be only one step removed from the system in Haiti, where poor devils are forced to work on the roads and are driven like cattle from one county to another." And it is manifestly true that in practice these Negro convicts are put under the control of the same sort of State officials who have been responsible for the State convict leasing of the past, the story of which is a grave blot on the history of several Cotton States.

Yet the text of the contract made by the Department of Justice in Washington and secured and made public by the New York World shows that so far as paper agreements go the prisoners are protected from cruelty, from semi-starvation and from overwork. The work day is fixed at eight hours. The food must be "adequate and wholesome prison fare, sufficient to properly nourish robust men working daily in the open air." "Corporal punishment" is forbidden, but recalcitrant prisoners may be put in isolation or "in the stocks." There must be one guard for every twelve convicts.

Sanford Bates, Superintendent of Federal Prisons, signed this contract. He is regarded as a skilled penologist and a humane man. He was faced, it is fair to say, by a congestion of United States prisons, grave and growing. Georgia would take some Negro convicts at the rate of 55 cents a day, less than it cost to keep them elsewhere. Georgia for sociological reasons did not want white convicts. Hence the color line in the contract.

Our inference may well be that Mr. Bates acted in perfect good faith, and expected no criticism. His tentative approach to a relief of prison congestion seemed wise to him. But he might have thought otherwise if he had made a special study of peonage and chain gangs in the far South. We are quite sure that he will give all the facts to the Senate, and that he will welcome any constructive suggestions from any quarter.

## U.S. PAYS GA. 55¢ A DAY TO HIRE MEN IN PRISON

### 3-Year-Contract Signed for Negro Convicts Only.

### N.A.A.C.P. PROTEST Association Denies Satisfaction with Probe.

NEW YORK.—The N.A.A.C.P. Monday made public a telegram to Sanford Bates, white, superintendent of prisons of the Department of Justice, reiterating its opposition to the boarding of colored federal prisoners in state road camps, and requesting the Department of Justice in any future statements it may make on the subject to make this attitude of the Advancement Association clear.

The telegram, signed by Walter White, acting secretary of the National Association for the Advancement of Colored People, reads in part as follows:

"Have just read account today's New York World relative to boarding out of Negro prisoners from Atlanta Federal Penitentiary with Chatham County authorities as well as statement in Baltimore AFRO-AMERICAN of December 14th in which you

are indirectly quoted as saying to AFRO-AMERICAN reporter that Arthur Spangarm, Senator Capper, Judge Byrne and I seemed satisfied with report of special investigators.

**Suspended Judgment.**  
"May I reiterate that position of Advancement Association on Chatham County camp is wholly one of suspended judgment pending outcome of negotiations between your department and Chatham County authorities and predicated upon the principle that there shall be no segregation of races or discrimination and relying further upon your assurance that Chatham County camp is only a temporary expedient and that such boarding out is not to constitute a precedent.

"The Advancement Association emphatically and unequivocally opposes institution of any general system of boarding out or placing within the control of authorities of any southern state, county, or municipality, Negro federal prisoners."

The N.A.A.C.P. visit to Georgia was made by Judge James A. Cobb of Washington at the invitation of Superintendent Bates. Men were found without knives and forks and without a diet which included meat.

### Three-year Contract

The World made public Saturday the three-year contract.

The contract is signed by Sanford Bates, Superintendent of Prisons, on behalf of the Government, and by E. L. Rainey, Chairman of the Prison Commission of Georgia. The Department of Justice defends it on the ground that it is a remedy for overcrowding and idleness in Federal jail and points to its "humane" terms.

### Provision of Contract

The contract, dated last October and already operative, has these provisions:

"Article 1. That the party of the first part agrees to receive and maintain during the fiscal year of 1930, 200 colored Federal prisoners by transfer from the penitentiaries, to the custody of the Prison Commission of Georgia, with the understanding that these prisoners are to be immediately assigned to labor in the Chatham County construction camp, located just outside the city of Savannah, Ga., under the following terms and conditions:

"(a) Suitable housing conditions are to be provided by Chatham County, either in the airplane hangar as remodeled for this use, or in such other suitable quarters as may be approved by the Superintendent of Prisons.

"(b) The prisoners so transferred shall be provided with adequate and wholesome prison fare sufficient to properly nourish robust men working daily in the open air.

"(c) Prisoners shall be decently clothed in plain attire, not in prison stripes, but in such other distinctive but plain colored cloth as the County Commissioner may determine.

### No Corporal Punishment

"(d) Corporal punishment will not be employed in the restraint or discipline of Federal prisoners.

"(e) The ball and chain or other form of shackles shall not be used without the express permission of the Superintendent of Prisons, nor shall bloodhounds be employed in the pursuit and recapture of escaping prisoners.

"(f) Federal prisoners shall at all times be used with humaneness and firmness, and shall be denied any undue privileges or liberties on the one hand, and any unnecessary harshness on the other.

"(g) The hours of labor, exclusive of transportation to and from the place of work and meals, shall not exceed eight hours.

### Disobedient Prisoners

"(h) Recalcitrant or disobedient prisoners may be placed in isolation or in the stocks, and in the case of repeated breach of the rules, they may be returned to penitentiary

which they were originally sentenced. "(i) A sufficient number of guards and foremen shall be constantly in attendance to prevent escapes, to preserve discipline and to properly protect the community. The number of these guards shall be in the ratio of one to not more than twelve prisoners."

### 55c a Day

Other provisions are that the United States will pay the State of Georgia "55 cents per day per prisoner" for care and custody, and will pay \$50 reward for apprehending any prisoner who escapes. The contract also says:

"It is further agreed by the party of the second part that there shall be transferred to the custody of the Prison Commission of Georgia for the purpose above set forth only colored prisoners. These shall be, so far as possible, well behaved prisoners who are accustomed to working in the open air and who are native to the Southern States.

### Limited to Road Work

"It is agreed that the prisoners transferred under this agreement shall be used only on road construction work or projects connected therewith."

"This seems to be only one step removed," said Senator Borah tonight, "from the system in Haiti, where poor devils are forced to work on the roads and are driven like cattle from one county into another."

When the National Association for the Advancement of Colored People first heard of the contract they protested that it discriminated against the Negro prisoners. The Department of Justice answered that white prisoners would be contracted out later. To other criticism the Department's reply is that the purpose is to relieve overcrowding and idleness in the Federal penitentiaries; that there is no intention of causing "undue competition with private labor," and that "there is nothing in connection with the present arrangement, and the old convict leasing system."



Crime - 1929

Georgia

# House Committee Refuses To Favor Convicts' Leasing

12/28/29  
Rejects Proposal to Legalize 'Farming Out' of Convicts

WASHINGTON, Dec. 26.—(CNS)—The House Judiciary committee Friday refused to favor leasing of Federal prisoners, in making its favorable report on prison reform legislation, struck out the provision which would have legalized the leasing of federal prisoners to state authorities for road construction.

The storm of protest which indicated universal opposition to the department's action in entering into a contract to lease 200 Negro prisoners to the state of Georgia convinced the members of the committee that the retention of the prisoner-leasing provision was undesirable.

The leasing of convicts from Atlanta prison to Chatham county for road construction has been vigorously condemned in both the Senate and the House of Representatives.

The press of the country, even in the South, has been outspoken in its condemnation of the newly inaugurated system.

The Philadelphia Record, in an editorial, "Is Uncle Sam a Slave Dealer?" writes:

"At the very time when the government is taking special measures—practically emergency measures—to provide jobs on public works in order to cut down unemployment, the story of the contract between the government and the state of Georgia, whereby 200 Negro prisoners in federal jails are supplied to the state to work on road construction, comes with a good deal of what is popularly called jolt.

"Senators Borah, of Idaho; Wagner, of New York, and Hawes, of Missouri, may be sure that they can hardly carry their expressed disapproval of such dealings too far to suit the bulk of the people.

"Defend it as you may, it still smacks of nothing less than slavery. Convicts are not to be dealt in as if they were not flesh and blood, but commodities.

"Convict leasing is long out of date, and it is surprising and shocking to learn of its being revived with Uncle Sam himself signing the contract.

"This is simply an indefensible act. The sooner that disgraceful contract is canceled the better."

Another editor writes from the

southland, pointing out that the prisoners' reaction to their condition and their treatment at the camp is beside the point. He takes the stand that the government has no right to pay for the road work which improves a county, and this is what it is doing when the federal government pays for the board of the prisoners and the county gets the benefit of their labor.

## Senate Probes Transfer Of Convicts to Georgia For Road Work in State

Legality of Contract With U. S. Questioned in Resolution Proposed by Senator Wagner.

WASHINGTON, Dec. 16.—(AP)—The department of justice was directed in a resolution adopted today by the senate to furnish it with information regarding a contract under which the government transferred to the state of Georgia 200 federal prisoners for road construction work there.

The proposal was offered by Senator Wagner, democrat, New York, who said off the floor that he had grave doubts as to the legality of such a contract.

In addition to requesting the terms of the contract, the resolution asked the department to explain the reasons for it, the extent to which this practice had been followed, and whether it intended to enter into similar contracts in the future.

The text of the resolution follows: "That the attorney general of the United States is hereby requested to report to the senate as soon as practicable:

"1—The terms of a contract entered into on the 16th day of October, 1929, between the prison commission of Georgia and the United States of America by the superintendent of prisons, relating to the transfer of 200 federal prisoners to the custody of the prison commission of Georgia.

"2—Whether the transfer has been made pursuant to the contract aforesaid.

"3—Summary of operations under the contract.

"4—The reasons which prompted the execution of the contract.

"5—Whether any other contracts of a similar kind or purpose are in effect and, if so, the terms of each of such contracts.

"6—Whether the execution of any contracts of a similar kind and purpose is now pending or contemplated."

### COUNTY PROVIDES FOR PRISONERS.

SAVANNAH, Ga., Dec. 16.—(AP)—A total of 100 federal negro prisoners are working the roads of Chatham county under a contract with the United States government by which the county furnishes the convicts with food, clothing, quarters and medical attention for 60 cents per day per man. The United States senate today asked the department of justice for information concerning the contract and the necessity for entering it.

The convicts who were transferred here from the Atlanta federal penitentiary on November 4 are quartered in a new prison barracks on the outskirts of the city. The buildings are modern in every way, with ample sanitary facilities and accommodations for 100 prisoners.

The prisoners, who are required to work approximately eight hours a day on the roads or in shops at the stockade, are transported from the barracks to their highway work in trucks.

Under the contract with the Chatham county board of commissioners it was agreed that guards furnished by the county would not carry rifles or shotguns and that no method of corporal punishment would be used on the prisoners. Unruly prisoners and guards say they have been few are placed in solitary confinement for punishment.

C. L. Healey, United States government inspector, is in direct charge of the camp.

George W. Piedeman, chairman of the Chatham board of commissioners, said today the plan was working excellently and that the county authorities were well pleased with the arrangement. He said prisoners quartered in the stockade had said they

were much better off than they were in the walls at Atlanta.

P. Newell West, superintendent of public works of the county, said the meals at the stockade consisted of vegetables from the county farm where misdemeanor prisoners are serving sentences and that at least one meal each day included meat or fish.

The contract entered into by the federal government and Chatham county is for a period of three years, but it contains a clause providing for its abrogation by either party on giving 60 days' notice.

### TRANSFER MADE SIX WEEKS AGO.

One hundred negro prisoners serving sentences in the federal penitentiary here were transferred to Chatham county about six weeks ago where commissioners of that county announced they would be employed on highway construction.

Announcement was made at the time that the contract had been entered into to afford the prisoner work and relieve congestion in the prison here.

About the same time several hundred prisoners were transferred from the penitentiary here to Leavenworth Kan., where it was said they would be confined at the military discipline barracks.

Although it was announced from Washington that 200 negro prisoners would be sent to Chatham county from the Atlanta prison, only 100 have been sent to the stockades near Savannah as yet.



Crime-1929

Georgia

## Is the Government to Re-Establish Slavery in Georgia?

Reading the Associated Press dispatches appearing in Southern dailies, with reference to the Department of Justice transferring Federal prisoners from the Atlanta Penal Institution to Chatham County chain-gang, leads one to ask the question, is the Department of Justice at Washington to re-establish the abominable lease system, abolished by Governor Hoke Smith in 1909? The lease system has been outlawed in the South as the most crude and inhuman method of handling prisoners. During the existence of this savage method of handling convicts there were more murders and crimes committed against society by the brutes who handled the unfortunates, than there were crimes committed by them. The good white people throughout the South raised up en masse and demanded that the system be abolished.

News comes from Washington that in a few days the Government will transfer from the Federal Prison here to Savannah, Georgia, to work on the chain-gang for the County of Chatham, 200 Negro Federal convicts to work on the public roads and will be subjected to the rule and regulations of the prison commission of Georgia. Federal prisoners are entitled to humane treatment. It is the object of prisons to reclaim those who have erred for society; to return them to their home better men than they were when they entered involuntary servitude. If there is any truth in the dispatches we are wondering by what rule of law or morals does the Government undertake to sell its prisoners into involuntary servitude after the order of the old lease system that Governor Smith wiped off of the statute books in Georgia ten years ago.

Under the old lease system convicts were sold to the highest bidder for service to counties or private individuals at such a price that the purchasers might make a healthy dividend on their investments. This was in spirit a violation of the 13th Amendment to the Federal Constitution, which prohibits slavery in any form in the United States, or its territorial acquisitions. It is the duty of the Government to apprehend and punish all violators of the law when convicted, and the law contemplates that this punishment shall be imposed under Federal supervision under the most humane and beneficial system, and we doubt seriously that if the Government transfers this duty to individuals or counties, by selling those entrusted to its care for betterment at a profit, the Government itself violates the terms of the 13th Amendment of the Federal Constitution.

If the Department of Justice is acting within its constitutional authority in transferring convicts to private individuals or counties, why draw the color line? Why pick out 200 Negroes and transfer them from comfortable and educational quarters to road duties under far inferior conditions? Why pick 150 white convicts and transfer them to quarters at Levensworth, Kansas, equal in accommodations to the quarters in the Atlanta Prison and transfer 200 Negroes from the same prison to Chatham County or elsewhere, to be housed in the woods in steel cages like tigers and lions under a set of guards and whipping bosses that are just as much law-breakers as the Negro prisoners themselves.

If relief is necessary because of the inadequacy of the quarters in the Federal Prison, and relief must be had, why not build more prisons and enlarge those we have? The care and reformation of human beings ought to appeal as much to the Government as the extermination of the Boll Weevil and the Mediterranean fruit fly. But the crux of the whole matter lies in the injection of the race issue in the effort to

relieve the prisons of their over-crowded conditions. Possibly there are not more than 200 Negro inmates in the Atlanta prison, and if so, the whole bunch must be taken out and caged in the woods and swamps under a practice in which the Negro has always been discriminated against in Southern prisons; while white prisoners of far more desperate character and danger are transferred to comfortable quarters in other Federal Prisons. The question seems pertinent, and 14 million Negroes in America ask the question as their constitutional right, is the Government to re-establish the abominable lease system in Georgia or elsewhere? And if it is to be re-established are Negro prisoners to be the only victims?

The American people will not think well of this departure from the well-established method of taking care of Federal prisoners.

## Working of Federal Convicts On Chatham County Roads Echoes in National Capitol

Justice Department Denies Men "Leased" to State, Says 10,000 Prisoners "Boarded Out."

WASHINGTON, Dec. 14.—(AP)—Recent action of the department of justice in contracting to send 200 Negro prisoners from the federal penitentiary at Atlanta to an honor road camp in Chatham county, Georgia, attracted attention today in both the house and senate.

Representative LaGuardia, republican, New York, introduced a resolution calling upon Attorney-General Mitchell to inform the house of the number of convicts "leased, farmed out or contracted to any state, person or corporation."

Later in the day the department issued a statement saying that the federal government "is not leasing convicts in Chatham county, Georgia, or anywhere else."

Senator Copeland, democrat, New York, in a statement off the floor, said he believed that the "whole penal system has got to be reorganized." Senator Norris, republican, Nebraska, who has introduced bills in the senate to provide for construction of two new federal penitentiaries and a reorganization of the prison bureau of the department of justice, said that action would be taken on the bills as soon as the tariff bill is passed.

LaGuardia's resolution calls upon the attorney-general to inform the house on whether the consent of the prisoners who were "farmed out" was obtained before they were sent to the camp, the number of government employees assigned to supervise such prisoners and the terms under which the contract was negotiated.

In the statement issued by the justice department, it was said that 10,000 federal prisoners are boarded out in county and state prisons located all over the country and that the govern-

ment is paying an adequate amount for the board and housing of the convicts.

"The men in Chatham county, Georgia, are in an honor camp employed on public works," the statement said. "Not one of the men desires to return to the walled institution. A federal inspector is present to see that the terms of the contract requiring humane and decent treatment are lived up to."

Approximately 100 prisoners already have been removed to a stockade in Chatham county and now are at work upon the roads. The contract which specified that suitable and sanitary housing condition be provided, that wholesome food and decent clothing be provided, and forbidding use of the "lash" in disciplining the prisoners, was signed October 18.

### THE TRANSFERRING OF FEDERAL PRISONERS TO STATE CHAINGANGS.

As a result of the agitation and protest launched against the Government leasing its prisoners to work on public roads under state supervision by the Atlanta Independent, the Government sent a committee composed of Judge J. A. Cobb, of the Municipal Court of Washington, D. C., and Colonel Sanford Bates, of the Department of Justice, to investigate the conditions extant.

In our opinion, the Government should have known the conditions before re-establishing the old lease system in Georgia. If it were not sure of its grounds, the contract should not have been let. The question at issue is not whether the convicts are black or white, but with knives, forks, or their fingers, but, has the Government the legal right to lease its convicts to

private individuals or corporations? This question is settled by statutes on the books, and the independent has contended all the time that the Department of Justice was without authority to change the sentences of the courts and convict prisoners to do time at other places than those designated by a Federal judge.

If the Government was sure of its ground, why send Judges Cobb and Bates to Georgia to investigate? It was not a question of whether the convicts were being treated humanely, but one of legal authority. It is not a question of whether the convicts were satisfied, but of the legal right of the Government to punish them a hard labor outside of the Federal prison on the public highways.

The commission found that the 97 prisoners preferred Chatham county chaingang to the Atlanta Federal prison. It was not a question of what they preferred, but one of what the law permitted and what it did not. We are leaving the race question out of this discussion and addressing ourselves to the legal phase of the issue.

If everything was sitting pretty why was it necessary for Colonel Bates, chairman of the parole board, to order that the prisoners be given less rice, and fresh meat once a day? If they were being treated like human beings in the custody of a Christian government why was it necessary for Mr. Bates to order that the men be given knives and forks to eat with, and not made to eat with their fingers? It is an old relic of the discarded lease system in Georgia for convicts to eat with their fingers out of tin plates and buckets. The commission found that the convicts were without bathing and hospital facilities, and were housed in a hanger instead of facilities the equal of the Federal prison in Atlanta.

None of these improvements affect the question at issue. The Government should have straightened out all these kinks before it transferred the prisoners to Chatham county. Corrections at this late day, after public opinion had caught it with the goods on, only



strengthen the people's case against the Government.

It seems strange that the Government would buy the board of its convicts in Chatham county to work for the state for nothing. The story seems fishy on its face.

As a part of our argument in support of our contention, we quote the law as furnished us by our attorney, Col. A. T. Walden.

RE: HIRING OUT UNITED STATES CONVICTS.

The pertinent and applicable laws of the United States are as follows:

"Section 10524—HIRING OUT UNITED STATES CONVICTS.

"It shall not be lawful for any officer, agent, or servant of the Government of the United States to contract with any person or corporation, or permit any warden, agent, or official of any state prison, penitentiary, jail, or house of correction where criminals of the United States may be incarcerated to hire or contract out the labor of said criminals, or any part of them, who may hereafter be confined in any prison, jail, or other place of incarceration for violation of any laws of the Government of the United States of America."

(Fed. 23, 1887, C. 213, Sec. 1, 24 Stat. 411.)

"Section 10525—SAME: PENALTY.

"Any person who shall offend against the provisions of this act shall be deemed guilty of a misdemeanor, and on conviction thereof shall be imprisoned for a term not less than one year nor more than three years, at the discretion of the court, or shall be fined not less than \$500.00 nor more than \$1,000.00 for each offense."

(Feb. 23, 1887, C. 213, Sec. 1, 24 Stat. 411.)

"Section 10527—WHERE SENTENCES FOR MORE THAN ONE YEAR EXECUTED.

"In every case where any person convicted of any offense against the United States is sentenced to imprisonment for a period longer than one year, the court by which the sentence is passed may order the same to be executed in any state jail or penitentiary within the district or state where such court is held, the use

of which jail or penitentiary is allowed by the legislature of the state for such purpose." (R. S. Sec. 5541.)

Section 10,563 — MANAGEMENT OF UNITED STATES PENITENTIARY AT ATLANTA, GA., TRANSFER OF PRISONERS; LIMIT OF EMPLOYMENT. "... Provided further, that convicts in United States Penitentiary in Atlanta, Georgia, may be employed in the manufacture of articles and the production of supplies for said penitentiary; in the manufacture of supplies for the Government that can be manufactured without the use of machinery; in the construction, extension, and repairs of buildings and enclosures of the prison, and in making necessary materials therefor; and in the cultivation and care of the prison grounds and farms."

(March 3, 1901, C. 853, Sec. 1, 31 Stat. 1185.)

OBSERVATIONS.

1st. Section 10,524 above quoted is commonly known as the "United State Anti-Lease Act" of 1887, and was designed to abolish the practice of hiring and leasing Federal convicts.

If it is unlawful and criminal to hire or lease Federal convicts it would certainly be equally unlawful and criminal to turn them over to any other agency to work for opinion would authorize a restoration to their former place of detention upon a habeas corpus proceedings which might be brought in behalf of them or any one of them.

This November 13, 1929.

A. T. WALDEN,  
Attorney at Law,

Atlanta, Ga.

BLACK FACE OFFENDERS

It is not uncommon for white men to blacken their faces and commit crimes that are fastened upon colored men. Many of them have been caught outright and for those not caught the colored men, hearing the description given, suffered the penalty. Early Monday morning two white men with their faces blacked held up and robbed three other white men in an automobile on West Bryan street. They did it boldly, but did not succeed in getting away with it successfully, one of the hold-up men being killed in the wild career of the car. The officials and many papers failed to play up the black face part of the affair, but rather tried to belittle it by

stating that the men had been to a party, which is very unusual for Sunday night. If the two black faced men had not been apprehended, every colored man answering their description would have been sought and, in fact, there would have been a general round up of colored men. It is well that these men were apprehended. Their kind are a menace to the city, and more so, because in their disguise innocent men would have suffered the charge. Considerable thought should be given the many bold crimes committed around here and charged to colored men. It is so easy for criminally inclined white men to black their faces or even use any hue to resemble colored men, commit crimes and elude arrest. No doubt, many of the unsolved crimes may be traced to this source.

## Negro Federal Convicts Sent to Chatham County

Albany, Ga.—(CNS)—Reviving the system of contract slavery, abolished by Governor Hoke Smith of Georgia ten year ago, nearly two hundred prisoners, all of them Negroes from the Federal prison at Atlanta, Ga., have been leased on contract to Chatham County, Georgia, to do road work for the county. Superintendent of Federal Prisons Francis Bates admitted recently.

Neither the government nor the prisoners will receive any remuneration from the county, but on the other hand the government will pay, on a per diem basis, for board and keep of the free labor given under this contract to the Georgia county.

Mr. Bates said that the government insisted that the men must not be flogged or put in stripes and that they be housed comfortably in a hangar. He cited a case where white prisoners had been leased to other states, but had been ordered withdrawn as soon as evidence of flogging reached his office.

Pointing out the congestion of the prison at Atlanta, Mr. Bates indicated that the opportunity for the men to work hard at the expense of the government was a fine thing as they would be in the great outdoors, away from the less healthy prison surroundings.

## Improvements Ordered At Chatham County Camp For Negro Fed Prisoners

Washington.—(CNS)—As a result of a vigorous protest against the leasing of Federal prisoners from the Federal prison in Atlanta which was lodged with the Department of Justice by the National Association for the Advancement of Colored People, Judge James A. Cobb, of the District of Columbia municipal court, and a member of the board of directors of the association, accompanied by Mr. Sanford Bates, visited the Chatham county road camp, near Savannah, Georgia, November 30, and reported that the 97 prisoners made no complaint upon their treatment at the camp.

Although they were requested to talk freely, none lodged a complaint, although they requested a more varied diet, claiming to be overfed with rice and hominy. Mr. Bates ordered that in the future the men be given fresh meat at least once a day. As a further result of the investigation all armed guards have been withdrawn from the camp and the men placed on their honor. While the sanitary condition and living quarters for the men were satisfactory, heat and bathing facilities were ordered.

Hospital facilities and knives and forks are among the other improvements ordered for the prisoners. The men are housed in a large dormitory, which was formerly a barracks. They are given Saturday afternoons off and have time daily for exercise and recreation. A physician-prisoner claims that the men greatly prefer the quarters and treatment at the camp to the congestion of the Atlanta prison.

According to Mr. Bates this sets no precedent, as prison camps have been established in Michigan and West Virginia for sometime, to which white prisoners are sent. The Georgia camp, he said, came

as the first opportunity for relieving the congestion at Atlanta and the group of colored men were sent. He claims that another large dormitory will be erected soon to which white men will be sent, unless the colored prisoners themselves ask to be housed there. He denies that prisoners are leased, but on the contrary that the Federal government pays for their board and keep. The county is required to enter into a contract stating that the prisoners shall not be whipped, put in balls and chains, or forced to work under heavy guard.

Mr. Walter White, assistant secretary of the National Association, Mr. Joel Spingarn, treasurer of the association, and Senator Arthur Capper of Kansas, and Judge Jayne of Detroit, both members of the board of directors of the association, with Senator Arthur Vandenberg, of Michigan, expressed satisfaction at the report of the special investigation committee presented Thursday, by Judge Cobb.

## TWO WHITE MEN ARE SENT TO GANG FOR NEGRO ATTACK

Marion Mills and Cecil Johnson, who were convicted Friday on a charge of assault and battery upon George Cook, negro, Saturday were sentenced by Judge Edgar E. Pomeroy, of Fulton superior court. Mills was given 12 months on the chain-gang and Johnson drew an eight-month sentence.

Testimony was that the beating was administered when the defendants demanded payment of an alleged whisky debt.



Crime-1929

Georgia.

# Voodooism Fanatic Sought For Murder of Rome 'Witch'

POLICE BELIEVE REVENGE WAS MOTIVE

Rome, Ga., March 18.—(Special.) Little or no light was shed Monday upon the brutal murder of Martha Russell, a fortune teller and conjure worker, by a coroner's inquest.

As evidence stands, the only motive that can be ascribed to the murder, is that of revenge by some of her following, who believed in the casting of spells, the wearing of charms and other supernatural powers that she is said to have possessed.

She was found lying in the hall of her home on North avenue early Sunday afternoon with her throat cut in four jagged slashes, a smaller cut on the cheek, a stab high in the right breast, and evidence of a bruise upon the left temple. It is thought that this was administered by a plank or board with nails in it, as two small holes were found just behind the ear.

It was at first believed that the motive for the crime was robbery, but this was later abandoned when it was discovered that approximately \$200 in cash in a tin box had not been touched, though the box, placed beneath her bed, had been pulled out and the top forced open. In this container there were innumerable little sacks in which there were sewn roots, herbs, dead spiders and other charms. In some of these were found money along with the herbs, while in others there was only money. The box also contained war medals, several new knives and other trinkets. Several similar knives were found embedded in the back of a tree in the front yard, presumably to ward off evil spirits.

The deceased was an eccentric character. She told fortunes for many years, and was said to have made a living from the sale of charms. She was the old family servant of Mrs.

## Negro Organization Plans to Curb Crime

MACON, Ga., March 21.—(P)—A negro organization which will have for its purpose the curbing of crime among its own race, with especial emphasis on the youthful criminal, was formed here Wednesday. The organization was formed following an address by Judge Charles H. Hall, of the city court of Macon, at a mass meeting of negroes.

Judge Hall has expressed himself a number of times as being unwilling to sentence to chaingang terms youths under 21 years of age. He has urged business men of Macon to become probationary officers, to whom he could send first offending youths, for advice and guidance. Many of

J. Lindsey Johnson, Sr., and was brought from New York years ago. She was of Scotch parentage and very superstitious.

Negroes, living near by, stated that a bullet would not have killed the woman as she was a "witch." The superstitious also seemed to believe this.

J. A. Humphrey, a mechanic who came to the house Sunday morning and received no answer to his knock, returned shortly after noon Sunday. When he again received no response from the house he called neighbors and investigated. The woman was found lying fully clothed in a pool of blood in the hallway.

Humphrey was placed on the stand at the coroner's inquest but could shed no light on the mystery. He stated that he was coming to the woman for treatment for poison in his system and that she had been giving him medicine, made from roots and peach buds. He said he came for some more medicine on the day she was found dead.

Other witnesses testified that she had had a premonition that a disaster was hanging over her for some time but no attention was given to it. She told Humphrey that she had been "put to sleep" a week before the tragedy and that some one had come into her home and stolen the money given her for the medicine.

Officers working upon the case are of the opinion that it is parallel with the witch murders and voodooism cases that have captured the popular imagination of the public for the past several months. The inquest was continued by Coroner Charles J. Ogles, and will convene again Tuesday at 1:30 o'clock. He states that this is the most brutal and revolting murder in the history of his office holding.

them, Judge Hall said, could be released as good citizens. He made the same proposal to the negro leaders

# SLAYER OF CONVICT HERE IS VINDICATED

## Foreman Shoots Negro Who Attacks Guard During Chaingang Revolt.

A verdict of justifiable homicide was returned Wednesday afternoon by a coroner's jury, following its investigation of the slaying of Harold Tate, 21-year-old negro convict, by John Adams, foreman, during a chaingang revolt, near Hapeville Wednesday morning.

Reactions against further trouble from the negro convicts who mutined were taken Wednesday afternoon by county officials. Four negro convicts, believed to be the ring-leaders, were heavily shackled and placed in the拘留所, and the others will be properly punished, it was stated.

The trouble started early Wednesday morning when 26 negro convicts refused to go to work. Convict guards began to put double shackles on the mutineers, and after a score had thus been treated, the remainder decided to work. According to the report to A. A. Clarke, superintendent of public works, Tate started to attack Deputy Warden E. L. Gorman with an ax while working on the Perker school grounds. Gorman drew his pistol, and the negro began cursing him, whereupon it was decided to send the negro to the camp, it was said. When Tate was laced in an automobile, he snatched a billy out of Gorman's hand and struck the deputy warden with it. During a struggle between Tate and Gorman Adams ran to Gorman's assistance and shot Tate through the chest.

Tate was serving a four-year sentence for two cases of simple larceny and two of larceny of an automobile. He was sent to the gang on March 12, 1927.

## NEGRO CONVICTED James Barker Gets Chair or Murder Charge.

MAON, Ga., May 15.—(P)—James Barker, negro, was convicted in superior court today on a charge of murder in connection with the slaying of C. H. Cox, a watchman, by the Bibb Basket company on February 26. The jury was out on the case only five minutes.

Judge H. A. Matthews sentenced Barker to die in the electric chair on July 1. Barker was tried last week and the jury failed to agree after seven hours' deliberation.

Oxley was 70 years of age and was

making the rounds of the plant as night watchman when he was shot by some one who had broken into the company's office.

Deputies from the sheriff's office several days later arrested Barker, who was a former fireman.

# 200 PEN NEGROES WILL GO ON ROADS

## New Consignment To Join 100 Already Sent by Government to Chatham County Stockade.

A contract through which 200 negro prisoners in the Atlanta federal penitentiary will be transferred to Chatham county for road work, was announced Wednesday by the state prison board, which has given its approval to the project.

Approximately 100 prisoners already have been removed to a stockade in Chatham county and now are at work upon the roads.

The contract, it was learned, also has the approval of the federal department of justice in Washington who entered into the agreement in order to relieve congested conditions at the Atlanta federal institution. Overcrowded conditions, with consequent idleness, are looked upon as menaces, especially since the disastrous disturbance at Leavenworth last August, the cause of which was attributed to the idleness.

Rumors of the contract becoming current in Washington led to indignant complaints on the part of colored welfare organizations, who objected to the innovation in that it affected only negro prisoners.

Their complaints were answered Wednesday by a statement from the department of justice which characterized the new system as "an advanced step in penology."

It was specified in the contract, which was signed October 18, that suitable and sanitary housing facilities be provided, wholesome food and decent clothing be given, and it forbade corporal punishment in disciplining prisoners. The contract also limited the daily working time of the convicts to eight hours, and forbade placing them in stocks and the use of bloodhounds in the pursuit of escaped convicts.

The arrangement, it was said, is not analogous to the "leasing" system. The federal government does not receive any remuneration for the pris-

oners, but instead pays approximately 50 cents per day for the maintenance of each prisoner.

In entering into the contract, officials stated that they had no thought of limiting it to one race or group of men. It was stressed that the county authorities had only one building, and it was not deemed advisable to house whites and negroes together. Accordingly, the move was confined to colored prisoners.

## Humane Treatment Promised.

Officials stated further that the department of justice proposes to secure for these prisoners nothing but humane and proper treatment. It has a representative in the camp at all times.

After the National Association for the Advancement of Colored People brought their grievance to the bureau of prisons, at the invitation of Superintendent Bates a representative of that body accompanied him to the Chatham county camp. Barring a criticism of the food, which was not considered sufficient at the time, there was little fault found by the prisoners, officials said. None has requested to be transferred back to the penitentiary, and they seem to prefer their present situation to enforced idleness in the penitentiary, it was said.

The federal prisoners in Chatham county are in charge of T. N. West, superintendent of highway and war len. Mr. West said Wednesday night that he has 97 men in the camp. The men are well housed and cared for, he said, and are not mingled with the county convicts.

The move to bring federal prisoners to Chatham county was instituted about nine month ago, he said, and the object was achieved largely through the co-operation of Congressman Edwards.

Atlanta, Ga., Journal  
Wednesday, December 11, 1929

# 200 FEDERAL PEN INMATES ASSIGNED TO GEORGIA CAMP

## Will Work on Road Construction and Relieve Congestion

WASHINGTON, Dec. 11.—(P)—The Department of Justice announced Wednesday it had approved a contract permitting 200 negro prisoners to be boarded in a construction camp operated by the Georgia Prison Commission where an honor system prevails and that the men had been assigned to work on the Chatham County highways.

The action, it was said, was taken to relieve congested conditions in the Federal Prison and to provide work for the prisoners which could not be done within the federal institution.

Except that the men have work at to the camp was a discrimination Colored People visited the camp with Sanford Bates, superintendent of federal prisons, and department officials to enter into a contract with eral prisons, and department officials to the Georgia Prison Commission, the said that subsequent objections to transfer of prisoners were not of sufficient importance to warrant consideration. The prisoners, the department said, prefer to remain at the honor road camp to returning to the Atlanta prison. Not one of the men, it was said, asked to be sent back to the federal penitentiary.

The department's explanation was made after negro organizations had protested that assigning only negroes to the camp was a discrimination against the race.

In entering into a contract with the Georgia Prison Commission, the said that subsequent objections to transfer of prisoners were not of sufficient importance to warrant consideration. The prisoners, the department said, prefer to remain at the honor road camp to returning to the Atlanta prison. Not one of the men, it was said, asked to be sent back to the federal penitentiary.







# Col. Duke Presses His Fight For Negro Federal Convicts

Department of Justice, Office of the Superintendent of Prisons, Washington, November 23, 1929.  
Mr. O. M. Duke, Flovilla, Ga.

Dear Sir: This will acknowledge your letter of the 18th instant, regarding the transfer of Federal prisoners to Chatham County, Georgia. In our opinion, the statutes permit the transfer of these prisoners. The transfer was made under strict contract maintaining the rights of the individual.

It is not in any sense of the word a chain gangle. Chains are not used.

I have been in conference with several people interested in this matter, and I am planning to visit the institution in company with Judge Cobb, of Washington, a representative of the Association for the Advancement of the Colored People, on Saturday, November 30th. If you would like to meet Judge Cobb and myself on that occasion and visit the camp with us, we should like to have you do so. If you do decide to do this, however, I would suggest that you do not say anything about our visit, as we plan to visit the camp unannounced. I believe the train arrives at Savannah at 5:25 a. m. You can either meet the train or advise us where you will meet us later.

Very truly yours,  
SANFORD BATES,  
Superintendent of Prisons.  
Flovilla, Ga., Nov. 25, 1929.

Hon. Sanford Bates, Superintendent U. S. Prisons, Washington, D. C.

My dear Sir:  
I beg to acknowledge receipt of yours of the 23rd, in answer to mine of the 18th, to the Attorney General of the U. S.

I am sorry the Attorney General sidestepped the legal questions involved by this reference.

I note you say the camp "is not in any sense a chain-gang. Chains are not used." Chain-gang in Georgia is a legal term and is a place where misdemeanor convicts are punished; penitentiary is the

place where felony convicts are punished; yet misdemeanor and felony convicts are worked side by side in the camps. You should read our 1065 of the Georgia Criminal Code. Chains are not necessary to constitute a chain-gang—misdemeanor convicts are all that is necessary. Yet you will find many convicts in the camps wearing shackles.

My concern is immediately connected with the legal phase of the transfer and not the humanitarian phase. I am sorry that on account of at Macon, Georgia, I will be unable to meet you and Judge Cobb at Savannah. I will request Mrs. Mamie Williams, of Savannah, national committeeman for Georgia Republican party, to represent the organization.

With best wishes I beg to remain,  
Yours sincerely,  
O. M. DUKE,  
Counsel Republican Party of Ga.  
Flovilla, Ga., Dec. 2, 1929.

My dear Mr. Attorney General:  
Referring to my letter to you of Nov. 18th, in reference to the transfer of the Colored prisoners from the Atlanta Federal penitentiary to the road gang of Chatham County, a branch of the Georgia state penitentiary, asking for your opinion of the legality of the transfer under the sentences imposed in the U. S. courts, I am in receipt of a letter from Hon. Sanford Bates, superintendent of prisons, as follows:

"In our opinion the statutes permit the transfer of these prisoners. The transfer was made under strict contract maintaining the rights of the individuals."

Will you please inform me what statutes authorize this transfer? Also what statute authorizes the contracting out of U. S. prisoners? The new form of sentence, j. 13921, does not provide for it, and neither does the old form, j. 60512, which was long used in the U. S. courts and no longer used when the "hard labor" was stricken out of

the sentences.

If these prisoners were not sentenced to the state penitentiary they cannot be legally punished there.

The government should keep faith with its convicts.

Respectfully and sincerely yours,  
O. M. DUKE,

Counsel for the Republican Party of Ga. and Member of the S. C. C. and Ex. Com. of the S. C. C.  
Flovilla, Ga., Dec. 2, 1929.

Hon. B. J. Davis, Secretary, Atlanta, Ga.

My dear Sir:

Herewith I beg to hand you correspondence in reference to the transfer of the U. S. prisoners to the Chatham County chain-gang.

I am sure there is no lawful authority for this transfer. The gov-

BALTIMORE, ME  
SUN

DEC 1 1929

INDEFENSIBLE

The New York World has unearthed what it declares to be a contract between the Department of Justice and the State of Georgia under which Federal Negro prisoners confined in the penitentiary at Atlanta are to be transferred to the custody of the Georgia Prison Commission and put to work on the roads. Under the terms of the contract the United States is to pay 55 cents a day for the maintenance of each prisoner so employed and there are a number of restrictions which are intended to protect the Federal prisoners from the abuses not unknown in Georgia chain gangs.

Under the best of conditions such an arrangement seems worse than dubious. It is well known that in many of the Southern States the crime wave rises as work on the highways becomes necessary. To make the United States Government a partner in a system which is condemned in many of the States, even though corporal punishment and other rigors are expressly forbidden, is a proposal certain to be severely criticized. Indeed Senator Hawes, of Missouri, has already said according to the World, that the logical conclusion of this agreement would be the spectacle of "the Federal Government packing the jails with offenders against the dry laws and then handing them over to the States to do the work that free labor would otherwise perform."

If the Federal Government wants to pack the jails with offenders against the dry laws

that is its own affair—at least until relief appears—but there is no reason why the Federal Government should use this situation to the advantage of any State, particularly one with a penal system which is constantly under attack as archaic and harsh.

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The report was made in compliance with a resolution asking about the contract made October 16 by Sanford Bates, superintendent of prisons, with the Prison Commission of Georgia. It cited various statutes and precedents and said the superintendent recently had arranged that prisoners confined in the jails of Alaska may be placed at work on the public roads in that territory.

Called Temporary Expedient

The Georgia arrangement was described as a "temporary expedient" to meet the problem of overcrowding, and the Attorney General pointed out that the number of prisoners in Federal penal institutions had increased substantially since the beginning of the current fiscal year, July 1. Other contracts along the lines of that effected in Georgia, however, are not pending, he said.

"Men so transferred (in Georgia) have been assigned by the state authorities to labor in the Chatham County construction camp, located just outside the city of Savannah," the report related. "They are being employed on public works, such as road construction and repair work, one of the projects being the construction of a new road at a distance of ten or twelve miles from the camp, and, as last reported, some of the prisoners were working on a road located three or four miles from camp, repairing the side of the road and removing underbrush."

"There is nothing about this transaction that resembles what has been known as the leasing of convict labor. The Federal government pays the state authorities for boarding and caring for the prisoners and receives nothing for their labor. The prisoners are engaged only on public works and are not used or farmed out to any private contractor. They are housed in one large dormitory building formerly used as an airplane hangar and are fed in an adjoining building. They are in the custody of the state authorities and are guarded by employees of the county, and there is in constant attendance an employee of the Federal government to see that the terms of the contract are complied with and the prisoners are properly treated.

"The reasons which prompted the execution of the contract were:

"(A) The desire to relieve the intolerable conditions of overcrowding in the penitentiaries.

"(B) The need for supplying employment for the inmates.

"(C) The belief on the part of Bureau of Prisons that this kind of work offered by the prison camp, being outdoor labor which would not compete with free labor and which would inure not to the benefit of a private individual but to the public, was far preferable to idleness in the prison or participation in competitive industries.

Same Work as State Prisoners

"The usual form of contract between the United States and state authorities providing for having Federal prisoners kept in custody in county penal institutions contains no special provision respecting the labor or work to which the prisoners thus placed in state custody are to be assigned, and under the law they perform the same kinds of work under the same conditions as do state prisoners in the same institution."

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Crime-1929.

Atlanta, Ga. Constitution  
Thursday, January 19, 1929

## NEGRO SUSPECTED IN CAR HOLDUPS PUT UNDER ARREST

One of the negroes believed to have been responsible for nearly a dozen street car holdups which have been staged in Atlanta during the past few weeks was being held at police headquarters Wednesday pending identification by his victims, a number of whom will be called to headquarters today.

Detectives Jones and Chester were called to a house in a negro section known as Pittsburgh early Wednesday morning following a report that a negro was "shooting up" the place. On their arrival the alleged marauder had fled, but a cancelled street car ticket, similar to those obtained in several of the holdups, was found on the floor.

Informed that the fleeing negro had dropped the ticket, the detectives working on a few vague clues finally located and arrested him at 520 Tannal street. The suspect gave his name as Abner Boone and his address as the house at which he was arrested. Detectives stated that a number of cancelled tickets were found in his possession.

## 21 CONVICTED IN 1928 ON MURDER CHARGES

### One White Man and Four Negro Men Receive Death Sentence During Year.

Of 64 persons indicted for murder during 1928, 21 were convicted and received penalties ranging from death to sentences for involuntary manslaughter, figures in the office of Solicitor-General John A. Baskin show.

One white man, Fred Earl, and four negro men, indicted during 1928, received the death sentence during the year, as compared with three white men and four negro men indicted and sentenced to death during 1927.

The 1928 figures show that 12 white men, 47 negro men and five negro women, a total of 64, were indicted for murder, while at the end of the year, one white man, 23 negro men and two negro women, a total of 26, were fugitives from justice, and five white men, one negro woman and two negro men were in Fulton tower at the close of the year awaiting trial on murder charges. During 1927 30 white men, 38 negro men, one white woman and nine negro women, a total of 78, were indicted for murder. Of this number 12 were fugitives from justice while 18 faced trial at the end of the year.

During 1928 two white men received life sentences, and two were found not guilty. Five negro men re-

ceived life sentences, and eight received various sentences less than death or life imprisonment, while four negro men were found not guilty. One negro woman was given a lighter sentence than death or life imprisonment, and one was found not guilty.

## 9,742 PRISONERS RECEIVED IN 1928 AT FULTON TOWER

Prisoners booked at Fulton Tower during 1928 amounted to 9,742, of which figure 8,687 were prisoners, 885 federal, and 170 prisoners from outside of Fulton county, according to the annual report of Sheriff James I. Lowry, compiled for the state prison department by Deputy Sheriff Claude Register.

The report shows that negro male adults led the county prison population, with white male adults second. The figures are as follows:

Adults	County	U. S.	Foreign
White male .....	3,291	395	136
White female .....	403	31	...
Negro male .....	3,740	377	51
Negro female .....	1,224	64	3
Under 16 years:			
White male .....	7	9	...
White female .....	3	6	...
Negro male .....	14	...	...
Negro female .....	5	3	...

## SAID THE POT TO THE KETTLE

The city of Atlanta, through the Atlanta Constitution, presumes to give Chicago some advice about vice and crime. "What is needed in Chicago," declares this southern daily newspaper, "is systematic police organization for the protection of life and property that functions every hour of the day, every day of the year, along orderly, efficient and well-balanced lines."

It seems to us that Atlanta is going far afield to discuss law enforcement in Chicago. Whatever that city knows about this phase of our national existence might well be applied at home. Chicago, with all her reputation for crime and vice, is 10,000 years ahead of Atlanta or any other southern city when it comes to real justice and decency.

In Chicago citizens can at least get a semblance of a fair trial in court; they are not disfranchised, lynchings and mob law are unknown. In Chicago the Ku Klux Klan and the Knights of the Great Forest must take their place in line along with the Masons, Elks and other great secret organizations and receive the same consideration. They are not permitted to stalk up and down the streets in night shirts and bed sheets, intimidating citizens and otherwise disturbing the atmosphere, as happens to be the case in Atlanta. In Chicago we can at least ride wherever we please in street cars and trains without watching signs.

Chicago may be bad enough, but Chicago is far superior to Atlanta in every respect, and

for that reason does not welcome impertinence from that city. If Atlanta wants to do some housecleaning let her houseclean Atlanta. Let the Atlanta Constitution spank its own baby and Chicago papers will attend to Chicago! Let the pot look after its own complexion, and the kettle will do likewise!

## ENTERPRISE

Thomasville, Ga.

FEB 28 1929

## INEQUALITIES OF THE LAW

We often read of the chicken thief. He is usually the ingorant negro, who can no more resist the coop than the modern Lothario can refrain from petting. It is just natural for him to make a get as he calls it.

But the result in the courts as far as the thief of chickens is concerned and the persons charged with more serious offenses should give us pause. There are hundreds of negroes, who are sent to the gang every year for small thefts. There are hundreds of men and women accused of embezzlement, assault, homicide, who are not sentenced for the simple reason that they are not tried or being tried have resorted to unusual situations and conditions to escape.

When we see an embezzler of a million get five years the jurors who are asked to send up a negro, who has stolen a chicken for two to ten years, are aghast at the inequalities of it. There is a well defined difference but the courts have made too much discrimination to make it fairly reasonable. This is one of the reasons why the four-time conviction for a prohibition violation in Michigan is resented by judges as well as attorneys.

Crime is just that. It is measured in degrees and the basic fabric of

the law does not mean to indicate that the punishment of five years for a negro, who enters a house and steals a hundred dollars worth of merchandise is in proportion to five years for a man who steals a million dollars.

We will never make it equable. We will, perhaps never see the day when the illiterate and ignorant negro will receive the same chances of evading the penalties of the law as the man or woman, who has influence and money and who can find those who will use it to her advantage in escaping the punishment, which the law prescribes.

## White Jail Birds In Larger Numbers Than Black Birds

### Sheriff's Report Shows Colored Citizens Less Trouble Than White.

Twice as many white persons as negroes ran afoul of the law in Pierce county during 1928, according to the Jail report recently filed by Sheriff Olin Roberson. The report is as follows:

White males placed in jail, 201; colored males placed in jail 101; white females, 5; colored females, 13; white juveniles, 9; colored juveniles, 5. Total 334. Twenty-two prisoners from other counties were held in the local jail. The classes of crimes were divided as follows, 60 felonies, 263 misdemeanors. There were five lunacy cases.

The 1928 record is a slight improvement over the 1927 record, which shows 357 visitors registered at the jail.

## AGED WOMAN, ALLEGED WITCH,

## SLAIN AT ROME

### Martha Russell, Voodoo Practitioner, Found Dead Amid Evidence of Desperate Attack.

### "CLIENT" SOUGHT AS PERPETRATOR

### Police Declare Many Na- tives of Section Believed Woman Could "Cast a Spell" Over Them.

Rome, Ga., March 17.—(Special.) Martha Russell, 80 years-old, was found murdered in her home here this afternoon, her head showing marks of being struck violently and her throat cut ear to ear.

Mystery shrouds the slaying. No arrest have been made, although police say they have a clue that may bring to light one of the most sensational cases they have handled in years.

The aged woman had a large clientele of superstitious people who visited her often for advice. She claimed, it is said, to be able to cast "spells" over any one whom she desired. For years, she had been practicing her witchcraft, police report.

Two motives have been offered as a solution to her murder. One is that a "dissatisfied" client, who came to her house and brutally attacked her, and other is, that of robbery.

Miss Russell, who is white, years ago was a servant in the home of Mrs. J. Lindsey Johnson, whose husband at one time was publisher of the Rome Tribune-Herald.

Her body was found at 2 o'clock in her home, which is located in North street, east Rome. A box containing about \$200 was found to have been forced open. The money was wrapped in old rags and papers and it was not disturbed.

Some negroes reported the murder to the police. They said a man told them of the crime. Since then, the man referred to, has been questioned by police and released. His story was that he went to her for a consultation and found her on the floor. She had been dead for hours.

An inquest will be conducted today at 1 o'clock.



## CHRONICLE

AUGUSTA, GA.

JAN 20 1929

### Time For Vigilance Committees

During the past week five negro bandits entered a bank in Chicago and after a pitched battle between the bandits and bank officials, in which about fifty shots were exchanged, the hold-up men gathered an armful of currency and departed. Several of the bank employees suffered serious, if not fatal, wounds and it is also known that the men committing the robbery, and the crime of firing upon the innocent workers, experienced no difficulty in making their get-away.

While the bank robbery excitement was in progress it is said that upward of a score of persons were in the bank lobby to transact business. A negro employed at the bank took the initiative in opening fire on the hold-up men and it is said that the faithful colored employe received wounds from which he will not likely recover. In the interim, the bank cashier and assistant cashier received gun shot wounds and for fully five minutes a crowded lobby was the scene of great excitement while, evidently, in the surrounding community peace and quiet prevailed.

How anyone could get by with such a daring act and violate the law as in the case of this recent Chicago outrage is difficult for the average person to understand. Escape in the darkness following a battle in which guns are used as weapons might be understood, but repeated use of fire arms in a thickly settled section of the city during the clear day-light might be calculated to attract quite universal attention and make difficult escape of offenders of the law.

Chicago has become famous as a rendezvous for noted criminals and provision of numerous vigilance committees appears as the only hope of the people of this great Mid-West city and the whole country would like to see such provision made. This country doesn't need a crime breeding headquarters and every effort should be made to stam pout and close up gangster meeting places.

It appears that Chicago officials are utterly unable to cope with the situation and they have asked for federal assistance on one or two occasions. If the officials of Chicago can not check such conditions as recorded in that city surely they can obtain a leader who can secure the cooperation of the public and procure the formation of organizations that will help the officials out with their problems.

### APPREHENDING WHITE CULPRITS

During recent months there have been considerable complaints about the molesting of white women by alleged colored men. Much indignation has been felt and extra efforts made to apprehend the offenders. One offender arrested proved to be a white man. There have also been several hold-ups of store keepers, the culprits being white. In Atlanta, cases of assault and molestation of white women were reported. From investigation it was found that two white men are charged with the offenses. In instances it has been found where white men with darkened faces have committed these offenses charged to the Negro. This recently occurred in New York. From some sources the idea is maintained that Negro men are fond of white women. The charge cannot be successfully justified. It is more of an imagination than a fact. Because of this idea, whenever a white woman is molested thought immediately places the blame on the Negro. Our men have a high sense of racial honor when it comes to affairs of women and are extremely partial to their own. This brings to thought, emphasized by the recent death of Lillian Langtry, who while entertaining an African potentate, attempted to use her artful wiles upon him, caused him to remark that if she were black she would be looked upon with more favor. The blood and pride of this African potentate permeate the being of his race men in America.

### The South's Homicide Rate.

It is not pleasing to the people of the South to learn that their cities lead the entire country in homicides, yet the figures annually compiled by Frederick L. Hoffman, consulting statistician of the Prudential Insurance Company, show that ten Southern cities lead the list of one hundred and thirty-six cities investigated. Memphis leads all cities with a homicide rate per 100,000 population of 50.5, and is followed in the order named by Birmingham, Jacksonville, Atlanta, Little Rock, Macon, Savannah, Nashville, Houston, and New Orleans.

The Memphis rate is more than three times as great as that of Detroit, which leads all cities of more than 1,000,000 population. Memphis, with a population of 190,200, had 115 homicides in 1928 against 498 homicides in Chicago with a population of 3,157,400. Had Memphis the population of Chicago the number of homicides in the former city would have been more than 1,800. And we are accustomed to regard Chicago as the Sodom or Gomorrah of America. New Orleans, which has the best record of the ten Southern cities, with the population of Chicago would have had about 800 homicides.

Viewing the facts from any angle they are humiliating to the people of the South. Mr. Hoffman is relentless in his statement when he says that in

spite of the relatively high negro population in Southern cities with the highest rates he finds, when the rates are worked out for the two races separately, that both races have a higher homicide death rate in the South than in the North, Central West or Far West. He also says:

"The ten cities are all located in States in which the death penalty is enforced with a fair degree of rigorous impartiality, but they are likewise located in States where the gun-carrying habit is common and the sale of firearms and ammunition is practically unrestricted. About three-fourths of all the deaths from homicide in Southern cities are due to firearms."

After all Mr. Hoffman may prove a benefactor in permitting us to see ourselves as others see us, and in making a suggestion as to the cause of our record. The "pistol-toter" is an undesirable citizen anywhere in this enlightened age. He is responsible for a large part of the homicides in the South. What shall we do about it? Shall we continue to make it easy for men to secure firearms with which to defy the laws, or shall we regulate the sale of firearms and banish the gun-carrier?

The evidence is all in. The case is up to the South as the jury. What will be the verdict?

## Letter Asking Aid of Voodoo CORONER'S VERDICT SHEDS NO LIGHT ON MURDER Power of Rome 'Witch' Found

Rome, Ga., March 19.—(Special.) The coroner's jury closed its investigation of the Martha Russell, alleged "witch murder" here this afternoon, with a verdict that her death was caused by a wound on her head, and knife wounds cutting the throat and a stab in the chest, inflicted by an unknown person with murderous intention.

No motive was ascribed for the gruesome affair but it is known that C. I. Harris, foreman of the jury, is positive that there is a connection with the practice of witchcraft was behind the murder. The investigation has come practically against a blank wall, according to information revealed to the public, but it is understood from inside sources that several strong leads are being followed that it is hoped will uncover the murderer.

The murdered fortune-teller was an aged woman of Scotch origin who brought the black arts and superstitions of the Scottish heaths to the little squalid frame shack on North avenue and derived an excellent living from her "clients." She was of medium height, more than 70 years of age, with long grey hair, and a wrinkled face with a heavy growth of hair upon her chin and upper lip. She was buried here this afternoon at 3 o'clock, while some of the most prominent of Rome's citizens attended the funeral. She was a servant in the home of Mrs. J. Lindsey Johnson practically all of her life.

Reporters from the local newspaper and The Constitution correspondent went to the little red house on North street Monday afternoon and there found many evidences of the practice of "voodooism." They discovered a

dried frog skins, watermelon seeds, cucumber seeds, and string beans. Cards bearing the initials of couples that she wished to bring together or to part were stacked by the side of the chimney in one of the rooms. A number of letters were seen by the coroner's jury, one of which read:

"Dear Aunt Martha: I am sending you some cloth. Will send you some more before long. I want you to do some work for me. I want you to bring this man back to me. I am sending you his and my 'Inishles' (initials—and the initials appearing on the envelope are 'W. F.' and 'B. E.'). Please bring him back to me for I love him and I don't want him to go with other girls. Make him love me. I will send you your cloth Saturday as I promised you I would. I will bring you some money when I come to you."

"I will see you before long. Please go to work on this man as soon as you get this letter and make him love me. Bring him back to me and stop him from going with other girls. You know I am true and will pay you. Please help me to win this man. Will see you soon. I live 30 miles from you and I come to see you by train."

Mrs. W. A. Richey, next door neighbor of the slain woman, was interviewed and she stated that "Aunt Martha was a peculiar old woman," and that her friends often laughed at her for not being afraid of her. She stated that the aged fortune teller had often been seen catching frogs and drying their skins on a piece of tin in her back yard.

"Two weeks ago she called me to the fence and asked me to look out for her and to come to her aid if anything happened. She said that

## NEGRO TO GO TO CHAIR FOR FARMER'S MURDER

Macon, Ga., April 2.—(AP)—Tom Collins, negro, was found guilty of murder by a jury in superior court today and sentenced to die in the electric chair for the slaying of "Doc" Redd, Wilkinson county farmer, on last November 22.

Clem Collins, Tom's son, also will go on trial for the same crime tomorrow morning.

Redd, a white man, was shot by the negro on a country road, the result of a quarrel over automobiles. Redd and O. D. Fountain were riding home and blinded by the approaching automobile light struck the rear of the negro's truck.

The negroes got out of their vehicle and pulled the white men from their car. Fountain testified. Fountain said that he was beaten and Redd was shot in the leg. Redd dying in a hospital four days later.



JOURNAL  
PEORIA, ILL.  
APR 8 1929

## SHANKS VOIDS THE CHAIR

A jury in Judge Gentzel's court in Chicago has decided that David Shanks, the Negro who cruelly killed Miss Jennie Meta Constance of Peoria last August at Northwestern university, is insane. Under the law, Shanks will be automatically committed to some insane hospital, and execution of the death sentence imposed upon him will be postponed until his sanity returns, if at all.

The sanity hearing lasted several days. Dr. William J. Hickson, head of the Municipal Psychopathic hospital, and several jail guards testified in behalf of the slayer. This verdict will cause no surprise in Peoria. Many circumstances connected with the Shanks case seemed to support the theory of insanity, one of them being the disappointment expressed by the Negro that a reprieve had been granted him and that he had been denied the privilege of a chicken dinner which is accorded condemned murderers on their last day.

Although Miss Constance was highly esteemed here as a teacher at Bradley and as a citizen, her former friends have no desire to wreak vengeance upon an insane man. Shanks is a poor man without influential friends. It can scarcely be contended that either he or his attorneys used undue influence to avert the chair.

Peoria will be content in the knowledge that justice has been done and that Shanks will no longer imperil other lives.

# Member Of Governor's Cabinet Warns Race Of Increasing Crime

CHICAGO, Ill. — Predicting that unless some way was evolved to stem the present current, that Negroes within ten years would form the chief population of Illinois prisons, Rodney H. Brandon, head of the Department of Public Welfare of the State of Illinois, speaking before the Progressive Community Center, 48th and Wabash Avenue last Sunday night, urged that greater care and attention be given youthful Negroes throughout the

state, but in Chicago particularly.

As long as the Negro gets the end of employment, the most meager wages, and is forced to live in the most congested and the worst districts in town, just that long may we expect a high percentage of criminality from the group," said Mr. Brandon, who won his high place in the official family of the state not through politics, but because he is a great humanitarian. He for twenty years has been executive secretary of the Loyal Order of Moose, of which James J. Davis, U. S. Secretary of Labor, is Presi-

dent General, and at Moose-Heart, Illinois, Mr. Brandon conducts what is probably American's most famous home for orphaned children.

"Poverty and vicious living conditions do more to manufacture criminals and to promote misery and unhappiness than any other cause," he continued. "It is not a matter of race, either. Over at the Institute for Juvenile Research there are kept a group of maps dating back for twenty years. Marked in squares they portray every arrest of a youthful offender made during each of those twenty years. The situation is easy to see. Some localities are free of any arrests at all. Others are black with them. The worst district, that near which the Tribune Tower and the former home of Mrs. Potter Palmer is located, is twenty-six times more apt to produce criminals than the best district.

"Twenty years ago we had a German wave of population through our prisons, fifteen years ago it was Scandinavian, ten years ago it was Irish. Today the Italian wave is at its height, and ten years from today, for all the signs point to it, the Negro population of prisons will be at its height. The results are certain. Whenever we have large numbers of juvenile infractions and arrests, it follows as surely as day does night that later developments will produce criminality unless environment is improved and some ameliorating steps taken. Too many colored boys and girls are finding their way into the institutions and prisons under the charge of my department."

The speaker likened the necessity for welfare work and guidance of the youths who are living in the poverty stricken black districts to the need for blood or fire insurance. He proved that in the end it was cheaper to take preventative measures than to suffer the cost and misery which neglect will bring. Three per cent of the children cause all the trouble, Mr. Brandon said.

"The broken home, where through death or some other loss, the mother is a widow, is the most fruitful source of delinquency." The child wearies of school. There is no one

to straighten him out. He starts to idle. There is no one to contact him with a job. He breaks the school contact without a work contact and his downfall is started.

"Through these and other causes as the records will show the Negro youth is building up an unenviable record in crime. The preventative measures must be taken by the communities, the citizens themselves. The state is powerless unfortunately until after trouble has occurred.

"Where are your fraternalists? I am a believer in fraternalists. Why not organize in neighborhoods, in your churches, and save these boys? Projected on the proper basis, Four Dollars per month, every individual community could have protection for a life time. Such a plan has proven feasible. Select a group of boys, picking out those who are orphans or half orphans and follow them through. See that they get a helpful word, are kept in contact with a job, make yourselves responsible for them. Neither a church or an organization could do a more christian job."

"Fortunately, we have good schools here. If anybody grows up in ignorance in Chicago, it's his or her own fault. I gathered the figures five years ago. Illinois was spending \$255 per year on each child. That covered the state. In Chicago it is much higher. In Mississippi the average per child was only \$66. But the school cannot help the boy or girl unless someone sees to it that they go to school and are given the helpful, interested guidance of a mother or father.

"It's a serious problem, and we need the help of you fathers, mothers, and responsible citizens."

## SPRINGFIELD, MASS UNION

DEC 8 1928

## An Amazing Murder Trial

A most amazing murder trial came to a close in Chicago Wednesday when the charges against Police Lieutenant Philip Carroll, four members of his detective squad and four notorious hoodlums, who were accused of the murder of Octavius C. Grandy, a Negro politician, on primary day, April 10, 1928, were not pressed and the defendants freed. During the week or more that the case was in progress the presiding judge, Joseph B. David, repeatedly interrupted the trial to denounce witnesses as perjurers and to engage in verbal tilts with the special prosecuting attorney, Frank B. Loesch, one of the leaders of the Chicago bar and a member of President Hoover's crime commission.

It is probable that nothing like it was ever seen or heard at a murder trial in Chicago or any other American city and the announcement that the Chicago Bar Association is to make a thorough investigation of the unusual proceedings seem both timely and appropriate.

The murder victim, Grandy, was killed in broad daylight while fleeing in his car from another automobile filled with armed and shooting gunmen. Lieutenant Carroll was identified by witnesses as the man in charge of the murder car and as the one who did most of the shooting. Other witnesses, however, who had not been heard at the time of the abrupt ending of the trial, were said to be prepared to testify that Carroll was not in the murder car nor anywhere near the scene of the murder at the time of the killing.

The astonishing thing about the trial was the evident bias of the trial judge against the witnesses for the prosecution and the prosecuting attorney. Time and again he turned the vials of his wrath upon the State's witnesses, calling them "unmitigated liars" and threatening to set aside the verdict if the jury should find the defendants guilty. This and his sharp criticisms of Prosecuting Attorney Loesch finally prompted the latter to tell the judge that he was "talking too much," an affront which Judge David swallowed without resort to the usual contempt of court proceedings.

All in all, the proceedings were so extraordinary as to warrant a most searching inquiry into every phase of the murder and the abortive trial. The promptness with which the Chicago Bar Association has taken up the matter is an indication of the seriousness with which it is viewed by the responsible members of the legal profession.



NOV 29 1928

## Murder Case Ends in Confusion

THE outcome of the trial in Chicago of five policemen and two other men on charges of murdering a Negro politician at a polling place on primary day, 1928, is marked by features that may attract country-wide attention.

The veteran politico-criminal prosecutor, Frank J. Loesch, who is a member of President Hoover's law enforcement commission, was a special prosecutor in the case. He has devoted years to efforts to break the alliance between crime and politics in Chicago. After much work on this latest case and in the midst of the trial, he stopped and declared it would be impossible, in view of the attitude of the trial judge, Joseph David, toward himself and the witnesses of the state, to go ahead. He declared that the jurist not only had abused them, but had made it plain, in a statement from the bench, that if the verdict were for conviction he would reverse it.

Judge David had demanded earlier that the state drop the case and that its witnesses be prosecuted for perjury. He told Loesch that he believed him to be the dupe of crooked investigators. On Loesch's decision, under the circumstances, that it would be unfair to the jurors and the taxpayers to go ahead with the trial, the court changed its position, declaring that it had perhaps been a bit too hasty, and asked that the trial be continued. But Loesch, declaring the odds against the state too much, moved to dismiss the charges, even as he lauded their merits. At the same time, without being halted, he criticised severely the attitude of the judge.

Then there was the further extraordinary feature of the call upon the jury by the judge to state what its verdict would have been if the case had been presented to it on the evi-

PIT

lence thus far submitted. The members replied: "Not guilty."

A Chicago dispatch describes it as "one of the strangest procedures in Chicago's criminal history." It is not likely to find many parallels in the history of the country.



# Crime - 1929 KILLED NEGRO; WHITEWASHED

## 200 Cops Who Riddled Boy Broke Law; Freed

CHICAGO, Jan. 16 (CNS).—At the inquest just held into the wanton killing by 200 policemen of the 16-year old Negro youth, Frank Whitehurst, a promise verdict was rendered. According to this verdict the police were justified in killing the boy because of the large number of policemen killed in recent months and the boy was justified in shooting seven policemen in view of the fact that they had no warrant to enter his home and he therefore had a right to treat them as burglars. But the boy is dead and nobody will be punished for it.

The inquest was held at the county morgue. The Whitehurst family was represented by Attorney F. L. Barnett, D. J. Bentall and L. C. H. Delaney were present from the Chicago Local of the American Negro Labor Congress, which has taken a keen interest in the police murder of young Whitehurst and has given the bereaved family every help possible in pushing the charge against the police. The congress was instrumental in arousing public opinion against this brutal exhibition of police terrorism and had thousands of Negro workers go on record at a mass meeting on December 17 against the crime. Of the inquest jury of six only one was a Negro.

# CHICAGO AT HEAD OF UNITED STATES IN MURDER RECORD

## 1927 Figures For Entire Nation Show Chicago Is Far Out In Front

Reports of the census bureau on deaths from homicide and suicide for the entire nation in the years 1926 and 1927 just released show

that Chicago is far ahead of all the other cities of large colored population in homicides among colored people.

The figures also showed that the death rate by homicides among colored people for the entire nation is five times as great as the rate among Caucasians, while a comparatively small percentage of the colored population die by their own hands. In 1927, the registration area, which includes about 85 per cent of the total population of continental United States, there was a total of 14,356 deaths by suicide of which 3,880 were white and only 476 or less than 4 per cent, were colored.

**Homicides 43 per cent**  
Homicides for the same year totaled 10,070, the whites having 5,184 and the colored 4,886, or 43 per cent, though the colored people number only about 10 per cent of the population.

The term "homicide" as used includes murder, manslaughter, justifiable homicide and incendiarism, but not legal execution.

The census report for Chicago for 1927 shows the population 5 per cent colored. Deaths by homicide among colored people numbered 175 and among the Caucasians, including the west side gangsters, 268. In 1926, the homicides among colored people in Chicago numbered 149, and among white, 266. Twenty colored suicides were recorded in 1927 as 1926 the suicides numbered colored, 16, white, 481.

**New York Trails**  
In greater New York, with a larger colored population than Chicago, the homicides among colored people in 1927 numbered only 72, or 103 less than recorded in Chicago for the same year. In 1926, colored homicides in New York numbered 64. In both years New York showed more white homicides than Chicago.

Detroit was second to Chicago in number of colored homicides in 1927, with 103. In 1926, the Michigan metropolis with 150 colored homicides went Chicago one better. Philadelphia recorded 94 colored homicides in 1927 and 91 in 1926. In Washington, D. C., the colored homicides were 39 in 1927 and 42 in 1926, and in Baltimore, Md., the figures were 37 in 1927 and 39 in 1926. Boston, Mass., showed the lowest figures, recording four colored homicides in 1927 and five in 1926.

# JUDGE BRINGS DIXIE STYLE

# TO CHICAGO Hangs Out "Colored" Sign on Crime

The South has come to Chicago. It arrived Wednesday by way of a speech said by the Chicago Daily News to have been made by Judge Marcus Kavanagh of the criminal court. According to the daily newspaper, he was addressing members of the Illinois parole board, and his plea was for them to refuse clemency to two condemned murderers—not because they were murderers, but because they were "Negro" murderers.

Here are his exact words, as quoted by the Daily News: "There are no fewer than 500 young Negroes south of 22d St. whose business is robbery and whose instrument is the gun. I have been told and have good reason to believe, that these men will murder anyone for the princely sum of \$10.

"Despite our crowded jails, despite the vigilance of crime organizations, we make no dent in this situation. There is a never-ending stream of these desperadoes pouring into Chicago from the South to make robbery their business.

"Either you or I could walk through the most tiger-infested jungle in India with greater safety than we could through certain parts of the South side at night in the guise of well-dressed white men.

"We could clean up this situation in 90 days if we would do it. We could do it by the addition of ten words to our statute providing a whipping post in cases of robbery and assaults on women."

This is no new line of argument. Every day we come across it in the South and in some northern cities. But it is the first time that a judge, sitting in a Chicago court, has taken it upon himself to label Chicago's crime black. It is the first time that one has dared to say openly that Chicago's dark citizenry is any more violently criminal than Chicago's white citizenry.

"There are no fewer than 500 young Negroes south of 22d St. whose business is robbery and whose instrument is the gun," declares the astute judge. And what about the no fewer than 10,000 young white men north of 22d St. who terrorize Judge Kavanagh's residence district with their guns? What about the Sicilian gunmen and the Italian gunmen and the Irish gunmen who infest both the North and South sides and Cicero, and who ply their trades in their professional manners with full knowledge of Chicago's police and Chicago's court? What about the seven murders at one time on the

North side about which all Chicago is talking today? Will Judge Kavanagh indict the white race because these murderers are white? What about any of the dozen outrageous murders and robberies that have startled Chicago within the past few months, despite the much-discussed effort of Chicago's constabulary to "clean up"? Can the judge overlook the 12-year-old white boy who was arrested on the "far" South side this week and who admitted that he has been in the robbing business since he was 3?

## Men Are Guilty

These men, discussed by Judge Kavanagh, are guilty of murder. They admitted their guilt, and according to the law of Illinois should die for their crimes. This paper makes no plea for criminals—black or white. When a man goes forth to prey upon society he does it at his own risk and should suffer the consequences of his folly. But there is no difference between crime as committed by a white man and by a black man. When a judge goes out of his way to argue for a law or strict enforcement of the law for one particular race he has lost his usefulness to the community as an administrator of law.

Everyone knows why our jails are crowded. We know why there are usually more dark men arrested than whites in any "clean-up" campaign. It is because it is easier for policemen to arrest dark men—they can arrest them and beat them and do whatever else they choose to them without fear of consequences. They know that the judges, being white, will not call them to account for their injustices. They know that most of the law enforcing agencies feel as they do about those who have little or no representation in city, state and national government. They know they can do what they choose and "get away with it."

"There is a never-ending stream of these desperadoes pouring into Chicago from the South to make robbery their business," continues the judge. Of course, this isn't true. If the people pouring into Chicago from the South daily were desperadoes they wouldn't need to leave the South. On the contrary, if they were not so meek they could find less of the brutality and injustice in their home states, and would get more respect from those who now persecute them. The truth of this matter is that those who do turn desperadoes after arriving in Chicago are driven to it by conditions they find here. High living expenses and hostility of employers or those who control employment have their part in making desperadoes of otherwise good citizens.

## What Records Will Show

But we make no defense for desperadoes of any kind or creed, whatever the cause. We do deny, however, that the bulk of those who come to Chicago from the South are of that class. Where court records show one criminal from south of 22d St. in Chicago and south of the Mason and Dixon line in the United States, they show 25 criminals from

the slums and ghettos of the North and West sides and from Italy, Ireland, England, Greece, Mexico and Germany.

As for the whipping post it is a step backward. The colonists had whipping posts and abolished them because they served no good purpose. If the laws of Chicago and of America were enforced upon black and white alike—if judges would plead for more equality before the law—if there was less color-justice and more real justice, Chicago would not be in a grip of criminals. If there were less reference to white men "looking like gentlemen," and more of white men acting like gentlemen—if white men would think less of his own importance in a country where he is in a 15 to 1 majority, and cease priding himself that he can dominate this great minority group—he would find less assaults against his person to worry him!

## Chicago Equality

Suppose conditions in Chicago were as bad as Judge Kavanagh has painted them. In the face of conditions, why shouldn't they be? Is it not a fact that dark citizens of Chicago find themselves barred from almost every form of employment, only to see foreigners—men who have contributed nothing to this country's welfare—come into this city and get the very jobs they have helped to make possible? Are dark citizens not barred from employment on our elevated lines and surface lines, and are they not barred from employment by the telephone company? Can a dark American drive a Yellow cab or a Checker cab? Can he lay bricks on a street car track or can he operate a street car in Chicago? And are not all these jobs open to any person with a white face, no matter where he came from or how short a time he has been in Chicago?

Can a dark man buy a home wherever he cares to live in Chicago? Can he enter a hotel and buy a meal when he is hungry and has the money with which to pay for it? Can he stop in a restaurant and not be insulted? Can he go to a theater and purchase a seat wherever he calls for it as Al (Scarface) Capone can? Can he attend a lecture at the Hamilton club along with other Chicagoans and learn something of civic government? Is he encouraged to be anything other than a desperado? The answer, obviously, is NO.

Finally, when he commits his crime and is arrested is he lodged in jail and given the same treatment as other criminals receive? The answer again is no. First, there is the segregated jail. Four and five dark prisoners are thrown into cells together—cells made to hold one and two white prisoners are received as guests at the jail and are given every consideration they would get at a hotel. Even in law enforcement the idea of white superiority, as shown by jail segregation, is carried out. Here, again, is bred disrespect for law. Is there any reason that Chicago is a crime center?

## We Have Fought

Judge Kavanagh and every other public official in America must remember that we fought—were the first to spill our blood for American independence on Boston Common; we fought with Jackson in the war of 1812; we fought with Zachary

Taylor and Winfield Scott in the Mexican war; we fought with Sherman and Grant in the war of rebellion; we fought with Roosevelt for the independence of Cuba, and we fought, bled and, though treated like dogs, died on Flanders field for freedom, democracy and the brotherhood of man. And now we fight for the



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Here are his exact words, as quoted by the Daily News: "There are no fewer than 500 young Negroes south of 22d St. whose business is robbery and whose instrument is the gun. I have been told and have good reason to believe that these men will murder anyone for the princely sum of \$10. "Despite our crowded jails, despite the vigilance of crime organizations, we make no dent in this situation. There is a never-ending stream of these desperadoes pouring into Chicago from the South to make robbery their business. "Either you or I could walk through the most tiger-infested jungle in India with greater safety than we could through certain parts of the South side at night in the guise of well-dressed white men. "We could clean up this situation in 90 days if we would do it. We could do it by the addition of ten words to our statute providing a whipping post in cases of robbery and assaults on women."

This is no new line of argument from the South daily needed to leave the is. NO. Finally, when he commits his crime and is given the same treatment as other criminals receive? The answer again is no. First, there is no answer to the question of why the segregated jail. Four and five dark prisoners are thrown into cells together—cells made to hold one and two, while white prisoners are received as guests at the jail and are given every consideration they would merit at a hotel. Even in law enforcement the idea of white superiority is shown by jail segregation, is carried out. Here, again, is bred disrespect for law. Is there any reason that Chicago is a crime center?

What Records Will Show But we make no defense for desecration that Chicago is a crime center? We Have Fought

Judge Kavanagh and every other official in America must recognize that we fought—were the first to spill our blood for American independence on Boston Common; we fought with Jackson in the war

North side about which all Chicago is talking today? Will Judge Kavanagh indict the white race because these murderers are white? What about any of the dozen outrageous murders and robberies that have started Chicago within the past few months, despite the much-discussed effort of Chicago's constabulary to "clean up"? Can the judge overlook the 32-year-old white boy who was arrested on the "far" South side this week and who admitted that he has been in the robbing business since he was 3?

### Men Are Guilty

These men, discussed by Judge Kavanagh, are guilty of murder. They admitted their guilt, and according to the law of Illinois should die for their crimes. This paper makes no plea for criminals—black or white. When a man goes forth to prey upon society he does it at his own risk and should suffer the consequences of his folly. But there is no difference between crime as committed by a white man and as committed by a black man. When a judge goes out of his way to argue for a law for or strict enforcement of the law for one particular race he has lost his usefulness to the community as an administrator of law.

Every one knows why our jails are usually more dark men arrested than whites in any "clean-up" campaign. It is because it is easier for police to arrest them and beat them and do whatever else they choose to them without fear of consequences. They know that the judges, being white, will not call them to account for their injustices. They know that most of the law enforcing agencies feel as they do about those who have hit the or no representation in city, state and national government. They know they can do what they choose and "get away with it."

There is a never-ending stream of these desperadoes pouring into Chicago from the South to make robbery their business," continues the judge. Of course, this isn't true, it's robbery. Chicago encouraged a despardo? The answer, obviously, is NO.

### Chicago Equality

Suppose conditions in Chicago were as bad as Judge Kavanagh has painted them. In the face of conditions, why shouldn't they be? Is it not a fact that dark citizens of Chicago find themselves barred from almost every form of employment, have contributed nothing to this country's welfare—come into this city and get the very jobs they have helped to make possible? Are dark citizens not barred from employment or our elevated lines and surface lines, and are they not barred from employment by the telephone company? Can a dark American drive a Yellow Cab or a Checker cab? Can he lay bricks on a street car track or can he operate a street car in Chicago? And are not all these jobs open to any person with a white face, no matter where he has been in Chicago?

the slums and ghettos of the North and West sides and from Italy, Ireland, England, Greece, Mexico and Germany.

for the whipping post it is a step backward. The colonists had whipping posts and abolished them because they served no good purpose. If the laws of Chicago and of America were enforced upon black and white alike—if judges would plead for more equality before the law—if there was less color-justice and more real justice, Chicago would not be in a grip of criminals. If there were less reference to "white men" looking like gentlemen, and more of white men acting like gentlemen—if white men would think less of his own importance in a community where he is in a 15 to 1 majority, and cease priding himself that he can dominate this great minority group—he would find less anxiety against his person to worry

Can a dark man buy a home wherever he cares to live in Chicago? Can he enter a hotel and buy a meal when he is hungry and has the money with which to pay for it? Can he stop in a restaurant and not be insulted? Can he go to a theater and purchase a seat wherever he calls for it as Al (Scarface) Capone can? Can he attend a lecture at the Hamilton club along with other Chicagoans and learn something of civic government? Is he encouraged to be anything other than a despardo? The answer, obviously, is NO.

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### We Have Fought

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emoluments of those wars in full American citizenship, which we have earned. This citizenship is ours by right of suffering and conquest, and we shall fight until we get it, despite all efforts of all America to keep it from us!

Taylor and Winfield Scott in the Mexican war; we fought with Sherman and Grant in the war of rebellion; we fought with Roosevelt for the independence of Cuba, and we fought, bled and, though treated like dogs, died on Flanders field for freedom, democracy and the brotherhood of man. And now we fight for the



There seems to be an undue amount of anxiety on the part of police of Blue Island to hang the brutal murder of Miss Laura Buchholz on the shoulders of a colored flagman, Leonard Mitchell. Efforts to implicate Mitchell in this murder have not been abandoned although a Caucasian, Howard Coleman, has made a full confession of the crime. The evidence against Mitchell is that he got off a suburban train at the 123rd street station about an hour before Miss Buchholz did. The evidence against Coleman is that he was noticed to be nervous and excitable the next few days after the murder, left town and went to La Porte, Ind., finally confessed the crime, relating accurately all the details, and answers to the description of the murderer as published by the Blue Island police. In the face of all this evidence, the Blue Island police chief has said that he is convinced that Coleman is not the slayer, whereas he apparently is not so sure of Mitchell's innocence. There is surely something rotten in Blue Island, and even though the confession of Coleman should ultimately prove the wandering of a maniac mind, citizens interested in the impartial enforcement of the law may well question the sincerity of the chief in his contrusted attitude toward the two suspects.

## ADMITS REIGN OF TERROR

Ghost Stories in Lonely Cell Drive  
Negro to Confession.

CHICAGO, March 22.—After all-night grilling, Gillis Mack, a giant negro steel worker, today confessed to police at Gary, Ind., that he had murdered Josephine Odoriczki, had killed an aged negro who witnessed a robbery and recognized Mack; that he and a companion, still at liberty, had ravished and fatally beaten Marjorie, 16, and had attacked and beaten several other women and committed many robberies.

Fearing violence, the Gary police removed Mack to Crown Point. Efforts are being made to connect him with the robbery to death of Miss Laura Buckholtz, a stenographer.

Mack has been identified as the "ax man" who has been terrorizing women in the Calumet district for two months.

At first he denied everything. He was placed in a solitary cell and in an adjoining cell two men told ghost stories. A candle was flickered at the tiny window of his cell and there were blood-curdling shrieks.

Toward morning Mack weakened. "Take me out!" he begged. "Take me out. I want to talk. I want to drive the spooks out of my mind."

## NEWS

FEB 7 1929

### EVANSTON TAKES THE INITIATIVE

Machinery to take care of the moron problem of Evanston and every other community in Illinois has been set in motion by the Evanston Chamber of Commerce resolution now before the judiciary committee of the State Senate. Sponsored in the Senate by a local man, Senator James J. Barbour, the bill not only has the backing of this community but also that of the Illinois League of Municipalities.

The machinery is badly needed. Every community has its quota of defectives who are an actual or potential menace to society. Evanston, alone, has almost 100 under police suspicion. Whenever a crime occurs, many of the suspects are rounded up and their guilt or innocence determined. Upon release they are free to carry on anti-social pursuits.

Evanston had its moron tragedy last Summer, when Miss Jennie M. Constance, a Northwestern University Summer session student, was murdered by a Negro defective, whose death sentence will be carried out on February 15. Other North Shore communities have had similar tragedies. Chicago's environs are subject to constant danger.

The problem has been recognized for a long time, but Evanston is the first community to work out a practical solution for it. Now that the solution is before the legislature in the form of a bill which provides for examination of morons and a state institution to house those believed to be potential criminals, no effort should be spared to insure its becoming a state law.

## LEADER

MT. CLEMENS, MICH.

MAY 8 1929

### SLIPPING FOR A LIVING

There are, in this modern world, many odd ways of earning a living. One of the oddest yet uncovered is that of a Chicago negro, who slipped on a banana peel the other day and landed in jail.

This man, the police learned, had supported himself quite neatly for a number of years by slipping on banana peels. He always had one or more in his pockets; and, by dropping one on the sidewalk in front of some store or other business place, he would slip on it and then ask damages from the owner of the place for negligence in leaving the peeling on the sidewalk.

He had collected, he admitted, scores of times — sums ranging from \$10 to \$250. This last time, however, someone saw him put the peeling there — and he drew a jail term.

The effort to live without working does lead men into queer pursuits, sometimes.

## DAY

NEW LONDON, CONN.

MAY 9 1929

### Lynchings, Chicago Style

LYNCH law brought about the death of three of Scarfare Al Capone's henchmen near Chicago the other day. That is the obvious conclusion after reading about the manner in which the three—all suspected of complicity in the murder of seven of the Moran gang on the North Side—met their death. They were "taken for a ride."

It was no ordinary ride, either—not even an ordinary underworld ride. Before they were killed, they were severely beaten. They must have known that death awaited them, and they must have been most uncomfortable during their last precious hours on earth. But there was a measure of rude justice to the manner of their death, it generally will be believed, and not many people outside the Chicago underworld will regret that they died.

Apparently, the killers were henchmen of the Moran outfit. The Moranites were not all wiped out, then when seven of them were lined up against a brick wall and shot to death with machine guns. One of the three men so recently killed—Scalisi—and Machine-Gun Jack McGurn were the only men indicted for the Moran murders. It is not easy to avoid the conclusion that the other two who died with Scalisi also could have been indicted if the police of Chicago had been as apt in their detective work as were the gangsters whom they seek to apprehend.



Crime-1929

## CRIME GAINS IN 1928 AMONG NEGROES

As arrests in Gary of white people decline, jailings of Negroes rise, according to the figures in the 1928 police report made public today by James J. Kelly, head of the local bureau of identification.

Arrests in Gary of all races totaled 7,381 in 1926; 6,678 in 1927, and 6,662 in 1928. In 1926, Negro arrests totaled 1,685; in 1927 they were 1,843, and in 1928 they swelled to the number of 2,229.

It is believed that the picking up of suspects—in which Negroes are the main victims—caused the great increase in arrests of colored people. In 1928, a total of 1,464 suspects were arrested, whereas in 1927 and 1926 just 22 and 19 people were picked up.

Manslaughter increased from four in 1926, 12 in 1927, to 27 in 1928. The murders committed totaled the same in 1926 and 1927, being 12 both years. Lake county had 15 murders in 1928. These figures are for all races.

From actresses to waitresses reads the list of the occupations of those who became "city guests." One usher, two undertakers, five reporters, one preacher, one actor, one architect, and two undertakers are included. Laborers jailed totaled 1,030; mill workers, 889; unemployed, 442, and those whose occupations were not learned totaled 803.

Forty-seven nationalities were jailed. After the Negro in the number of jailings came American whites, 776; Polish, 390; Irish, 378; Mexicans, 368, with the low record held by Turks and Cubans with one arrest each.

## NEARLY A THIRD OF ALL ARRESTS IN MARCH NEGRO

But Total Is Small; Still A  
Large Number of Arrests  
Merely As Suspects

With arrests of Negroes amounting to 111, or nearly one-third of the total of 390, the proportion of criminal acts committed by Negroes showed last March no sign of dropping below its general average, in spite of the fact that the colored population of the city is approximately one-sixth of the total.

As is the usual custom, more people of color were picked up as suspects than for any other offense, there being 36. Totals of all of Gary's 43 nationalities were 74, with the Polish having the next largest number of that group, nine of them arrested as suspects.

Drunkenness, however, seemed to be on the decrease, as only 14 out of a total of 77 were arrested. Nineteen American whites were taken in custody for imbibing too freely of intoxicants. Likewise, there were no Negroes arrested for gambling, although three people were locked up.

The person who once said that "Negroes don't go crazy," was very much misinformed. No month passes without at least one case of insanity. However, only three insanity cases were reported during March, one of which was a Negro.

A Negro and a Hungarian were the only people arrested and charged with murder and manslaughter. Ulysses Mack, the Negro, had three killings marked against him but the other killer was charged with only one slaying.

## Gary's Negro Crime Rate

Since the beginning of the year in Gary, four Negroes have been murdered and murder charges have been placed against three others. There has been a multitude of vicious attacks and slug-gings on the south side. The Omaha City is making itself felt here, and the cry of a "Negro hatchet man" is being raised by the local daily paper since attacks by an unknown person and a mystery murder have been committed. All of the victims were women.

In no month has the Negro crime rate been as low as the population ratio. Approximately only one-sixth of Gary's 110,000 people are of Aframerican extraction, but arrests of Negroes are from one-fourth to one-half of the total number each month. And this is in spite of the cosmopolitan makeup of Gary's population, a condition which makes for crime.

The crimes committed by black Garyites are what is considered to be the baser type. Murders, stealings, assaults, gambling, prostitution, and violation of the liquor law are the most frequent offenses. We admit that the large number of suspects picked up monthly swells the total and is greater than the numbers of other races picked up on similar grounds, but even after making allowances for this fact, the crime rate is still entirely out of proportion.

We are anxious to see Negro crime curbed. Nothing could give us greater pleasure than to see Negro lawlessness slashed in two. We realize that there will always be some crime under the social order, but there is no necessity for it assuming the size it does.

If Gillis Mack and Emery Flagg, jailed as the hatchet men, are the real criminals, we are as keenly interested in their conviction as the most rabid southerner. The past, however has taught us that many a "Negro" criminal has proven to be merely a white man blackened up. But Negro or black-face Caucasian, we want the real hatchet criminals placed where they will no longer be a menace to society. And we want no one "railroaded" to jail as happened in the Omaha axe man case when a Negro, Jake Bird, was convicted and sentenced when he did not even remotely resemble the man originally sought.



## CRIME AND THE GARY NEGRO

There is some comfort to be found in the semi-annual report of the bureau of identification here, in spite of the large and appalling number of Negro arrests as compared to the jailings given to members of other races or nationalities in Gary. There were 2,239 Aframericans lodged in the city bastile last year and with the first six months of 1929 now history, only 777 have been jailed.

Such figures lead to one of two conclusions: either the Negro is more criminally inclined than any other division of mankind in Gary, or local police take more pains to arrest law violators of color. It would seem that the latter conclusion has considerable basis in fact when it is remembered that 203 of the 777 Negroes arrested in 1929 have been picked up as suspects, Alderman William Burrus, however, has claimed that law enforcement in the district is notoriously lax.

So far this year 2,587 people have been arrested. Negro jailings amount to almost one third of that number. Last year they were more than one third of the total. Yet the black population of Gary is between one fifth and one sixth of all the people here.

These are many sins against society committed in any city of size that go unnoticed and unsolved. That is undoubtedly true of the south side. But, on the other hand, there is unusual care exercised in the detection of many illegal acts and many innocent people of color are rounded up in droves in an attempt to find the culprit. It is safe to say that crime is held in check on the south side at least as successfully as in any other section of Gary.

Even ignoring the number of suspects picked up each month by energetic officers, there is still too much crime in proportion to the population. While we realize that housing congestion and proportionately smaller economic opportunities tend to breed crime, we are nevertheless of the opinion that the black Garyites could behave with greater respect for the laws of the land. A little more thoughtfulness and regard for the rights of others would react to the benefit of the race as a whole in Gary and would prove to those prejudiced Caucasians who look upon our high crime rate as a sign of racial degeneracy that the Negro is no more a potential criminal than the Nordic blonde, that mythical super-beast.



Crime-1929

Kentucky

## POLICE SUED BY RACE LABORER AT LOUISVILLE

Louisville, Ky.—(ANP)—Lawrence Day, laborer, whose testimony before the grand jury after he was exonerated of the murder of Patrolman Robert E. McGalin led to the punishment of four members of the police department for subjecting him to the "third degree," filed suit Wednesday against nine policemen for \$15,157.40 for damages growing out of injuries received while in custody.

The defendants are Capt. George M. Ratcliffe, Lieut. Oscar Doerting, Patrolmen Luther Lee and Emmett Jeffries each fined five days' pay by the board of safety, and Lieut. Elmer C. Kellar, Sergts. Roger Whitlow, Ested Hack and Patrolman Hoffman and George M. Daley and their surety, the Union Indemnity Company. Whitlow, Hack and Hoffman were exonerated by the board.

Day alleged that he was arrested on August 25 by Hoffman and Daley at his home on Ninth, between Chestnut and Madison streets. The arresting officers, he charged, assaulted him with black jacks and clubs and kept him in a small room at the City Hall from 3 o'clock in the morning until late in the afternoon. He alleged that in an effort to force him to confess to McGalin's murder, they repeatedly slapped him with their hands and struck him with the butt ends of pistols, kicked him in the stomach, dragged him over the floor, twisted his left arm, hit him with a rubber hose and placed a rope around his neck.

The blows, he charged, broke a bone in the left side of his face, three ribs inflicted innumerable cuts and bruises and forced him to undergo an operation on Nov. 27, for an injury to glands in his thigh. He asked \$15,000 damages, \$122.40 for lost wages \$25 for medical treatment. Robert C. Logan is his attorney.



Crime - 1929

Louisiana

## ASKS NEW MURDER TRIAL

Negro Preacher to Appeal Conviction for Merchant's Slaying

RUSTON, La., Oct. 14.—(AP)—Found guilty of manslaughter in the death of John Kavanaugh, pioneer merchant of Clay, La., Gus Robertson, negro preacher-farmer, through his attorneys will offer a motion for a new trial before Judge S. D. Pearce Wednesday. The motion is denied, the negro faces a 21-year penitentiary sentence.

Kavanaugh was slain at Robertson's cabin as he went to return a negro, Joe Wright, who had deserted Kavanaugh's farm during harvest.

## NEGRO TRUSTY FIRES, HALTS PRISON BREAK

Flood Hero Brings Down Leaders With Two Shots.

BATON ROUGE, La., Oct. 15.—(AP)—A trusty negro convict serving time for manslaughter, was credited with frustrating a break for liberty at Angola Penal Farm, north of here, by bringing down three leaders in the attempt with two charges from his double barreled shotgun.

The trusty, Chester Collins, of Rapides Parish, serving as a guard, used his weapon with telling aim as the three convicts came from a line of 200 negro prisoners leaving the sugar cane fields as dusk was falling on the penal farm late yesterday.

News of the break came in an announcement by Warden J. E. McClanahan here today.

The three, shot in the legs, dropped just short of the cover afforded by the tall canes. Other guards quickly marched the remaining prisoners into camp under leveled guns.

### Hero of Flood Crisis.

Collins, sentenced to 18 to 20 years for manslaughter in 1924, has already received credit on his long term for meritorious service in the flood crisis at Angola in 1927. His action in the present instance is expected to bring further reward.

The most seriously wounded of the three leading what is thought to have been planned as a general dash for liberty, was Henry Williams, serving life for murder.

The other two wounded are Doyle Foxx, serving five years for manslaughter, and Tobe Lane, serving three to nine years for grand larceny. All are expected to recover.

## HOW BLOODHOUNDS FIGURED IN TWO CASES

St. Louis Argus.

In Louisiana, a short time ago, following the committal of a crime by unknown parties, bloodhounds were brought on the scene and from the place where the crime had been committed, the hounds took up a trail which led them to an outhouse on a farm owned by a Negro. Upon finding no one in the place and the dogs being unable to follow the trail farther, officials went to the Negro's home, arrested and charged him with the crime, even though his home was over a mile away.

More recently down in Texas, in the case of two white women, who alleged to have been attacked at night but could give no clear description of their assailant, the officers decided to call out the bloodhounds. The dogs followed a hot trail to the home of a white man. Not being satisfied with the findings of these dogs, two others were secured with the same results. This time the officials called off the man hunt abruptly without any explanation.

The two cases herein mentioned give a pretty good picture of how the officers of the law in these southern states discriminate in their hunt for criminals.

At a Fact Finding conference sometime ago, in discussing crime in the South as it affected the Negroes, one speaker said, 'Statistics from the courts, jails and other penal institutions, particularly in the South, are not a fair barometer of Negro crimes. In so many places when crime has been committed or alleged to have been committed, if a white person is involved, if he did, he didn't' and if a Negro is involved, 'if he didn't, he did.'"

We think the two cases where bloodhounds were called in, and the reaction of the officials are worth taking note of by those who would doubt the manner in which the so-called justice is meted out to the Negro in many parts of this country.

## DEPUTY SHERIFF IS ARRESTED FOR CARRYING A GUN

ALEXANDRIA, La., Aug. 14.—A NP.—Frank Walker, Negro deputy sheriff of Cochona county, Miss., arrested for carrying concealed weapons when Patrolman Fleming saw him acting in what he believed to be a suspicious manner, was released in city court when he produced his certificate. Deputy Walker was in Alexandria on the trail of a murderer.

## NEGRO SLAYER IS FOUND GUILTY; FACES LIFE TERM

New Orleans, August 13.—(AP)—A verdict of guilty without a recommendation was returned by the jury in the trial of Julius Dan Roberts, negro charged with the ax murder of Mrs. Anna Flink, white, Gentilly grocery proprietor, and her son, Henry. The verdict carries his imprisonment. Robbery was given as the motive for the crime, which occurred on the morning of April 13. A small amount of cash was taken.

## FIRE TORTURE CHARGED.

Officer Suspended for Using Hot Poker on Negro Prisoner.

NEW ORLEANS, Nov. 30.—(AP) Accused of applying a red hot fire poker to the bare flesh of a negro prisoner to make him tell where he got a watch he pawned, two members of the police force here today were suspended and charged with assault, beating and wounding.

The charges were brought by J. Bernard Coffey, assistant district attorney, against James Burns and Patrolman John Mobery of the twelfth precinct.

The complainant, Gordon Nichols, an ex-convict, alleged that the officers burned him twice with the reddened poker and hit him on a broken rib because he clung to his story that he found the watch.



Crime-1929

Maryland

# FIVE YEARS FOR STEALING ONE CHICKEN

Negro Sentenced To Peni-  
tentiary For Five Years  
By Annapolis Judge

Annapolis, Md.—John Creek, Ne-  
gro, today was sentenced to five years  
in the Maryland Penitentiary for  
stealing a chicken. The sentence was  
imposed by Judge Robert Moss in  
the Anne Arundel Circuit Court.

Another Negro, James Albert, was  
sentenced to three years in the Peni-  
tentiary by Judge Moss for stealing  
a horse valued at \$100.

Abraham Malino, white was found  
of the larceny of four cows, the prop-  
erty of Charles A. Bowman, but sen-  
tence has not been imposed.



## MAIL

Charleston N.C.

MAY 20 1929

developed by modern science

**Fisticuffs, Russian Way**

The Moscow Institute of Criminology has been making a study of crime in Russia. The results of its survey have been published. Instead of lynchings, torch murders, bombings, gang battles with machine guns in city streets, less spectacular forms of murder and other crimes of violence in which deadly weapons figure, the report lists as among the most common forms of "violence" fist fights. Most Russians, it appears, in settling personal differences, adopt the old method of "fair fist and skull". Very infrequently are conflicts marked by the use of knives or pistols. The principals, meeting in the street or elsewhere, rush together and whale each other with the weapons that nature gave them until one or the other has enough. And that's the end of their personal differences.

In its detailed study of this form of "crime", which incidentally no crime commission in the United States would consider as deserving of attention because of the so wide prevalence of major violence, the Moscow institute carefully classified the combatants, from the standpoint of their social relations. Thirty-five per cent of the principals were neighbors, 15 per cent husbands, six per cent former husbands and 26 per cent strangers. That neighbors and strangers, as individual classes, rank lowest in their inability to get along well together seems a little paradoxical, while the high standing given former husbands may have its explanation in the fact that they have learned through enforced practice how to avoid personal conflict or bitter experience has taught them the better part of valor often is in flight.

The further finding of the commission that these fisticuffs, which mostly, the report says, occur on holidays and festivities as the result of larger indulgence in vodka, are merely the common drunken brawls which are not even unknown in the United States.

The Russians are yet, in large part, a simple, gentle, primitive people, with primitive emotions primitively expressed. What effect industrialism and the kind of civilization that more developed nations have attained will have on them is merely one of theory only.



Crime - 1929

## The Habitual Criminal Law

**G**OVERNOR GREEN of Michigan has become ashamed of his State's "fourth offender" or "habitual criminal" law. He is quoted in press dispatches as recommending its repeal on the grounds that the law when applied to prohibition violations and other "minor" felonies serves to bring ridicule upon the state. This, he fears, will have a psychological reaction upon prospective and potential jurors that will upset the whole structure of the statute. This law, patterned after the famous Bismarck law of New York State, provides mandatory life sentence for a fourth conviction of any felony. Through it Michigan recently received a great deal of unfavorable publicity when a woman received a life sentence upon a fourth conviction of violating the prohibition law.

The reasoning of the Michigan executive is sound. Criminal laws which automatically deprive courts and juries of discretionary powers in meting out punishment are difficult to enforce. Theoretically, juries are primarily concerned with the guilt or innocence of the accused according to the evidence, but the kind and manner of punishment in prospect is a controlling factor in their deliberations. Juries will rarely convict, and that is because they are made up of human beings, even where guilt is apparent, if they feel that harsh and excessive punishment will be the result. And the American people by a large majority feel that life imprisonment would be harsh and excessive punishment for any number of prohibition law violations. That juries themselves will practically nullify the law and that convictions for minor "felonies" under it will be few is quite certain. Repeal would be better than nullification.

## GAZETTE

*Houghton, Mich.*

MAY 12 1929

## The Negro Criminal.

There are now serving sentence in Michigan prisons 1,509 Negroes, which is twenty-one per cent of the entire present prison population. This is sub-divided as follows: Jackson 927, Marquette 174, Ionia 292, Detroit 116. Comparatively few of these prisoners were natives of Michigan, the great majority being recent comers from the South.

The problem of the southern Negro is one of the greatest in Michigan today, according to Arthur D. Wood, commissioner of

pardons and paroles. Its percentage of Negro criminals is one of the highest among those of the northern states.

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## CHRONICLE

GRAND RAPIDS, MICH.

MAY 24 1929

## etc of Death Penalty Bill Was Credit to State

Contrary to the expectations of many, but fully in accord with the wishes and demands of the great majority of Michigan citizens, Governor Green has vetoed the Lennon capital punishment bill. The Governor's action was a brave move, in the face of the powerful reactionary support which was lined up in favor of the measure. It was a constructive act—in which the wishes of the people were heeded rather than the mandates of the rabid newspaper editorials which demanded that Michigan be placed in a state of barbarism. Certainly there was no need for any such

Michigan.

a law. Swift justice, such as was dealt out by Judge Verdier in Superior court here to a man found guilty of terrorizing two girls, is the best means of enforcing laws, rather than a threat of death—which often might prove empty. Newspapers which had supported Governor Green in his campaigns—and which had hopefully awaited the announcement the governor had regarded the bill with favor—hastened to explain that in vetoing the measure he was not taking the side of the criminal. Such effusions were unnecessary. Common intelligence certainly can grasp the fact that though a man does not favor barbarism and legislative atavism he still is anxious that laws be enforced and public safety be preserved.

Michigan has for years borne a record of humanitarianism. Even though vicious state prohibition legislation has aroused mirth and scorn at times, the state's escutcheon still retains some of its brightness. Swift justice and Michigan have for a long time been synonymous. The Hoteling case was an example to many states which revel in stern capital punishment laws—which apparently cannot be efficiently enforced. Many solid, esteemed newspapers in such localities pointed out editorially what progressive Michigan, its courts unhandicapped with death penalties, could do to murderers. Compare the process of Michigan justice with that in some other states and you will find that death penalties do not deter crime; that they do not deter murder nor its after-effect, lynchings.

Governor Green said: "Regardless of the merits of the controversy . . . I cannot agree with the terms of this bill . . . The bill requires, without exception that the death penalty be inflicted upon every person convicted of first degree murder regardless of age, sex or circumstances. It includes the boy of seventeen or the woman of seventy . . . It would bring to Michigan in murder cases the insanity plea that has freed so many murderers and which in the Remus case was a farce."

It has been years since there has been a lynching in Michigan. The people trust and respect the courts and leave such matters in their hands. This very attitude indicates a lack of demand for anything more stringent than sterner law enforcement. To our opinion, the most constructive, timely and wholly appreciated line Mr. Green ever penned was: "I veto this bill."



# When Black Meets White



*See below 12-24-34 Chicago 9th*  
With the arrest of Vito Rondello (white), notorious bandit of Detroit, police were able to solve more than 200 robberies which are alleged to have been committed by him. Photo at left shows Rondello with his make-up of burnt cork. He would assume a dialect and a revolver and rob stores and fashionable residences throughout the city. Police believed Rondello to be a member of the Race until he was captured. Detroit newspapers carried stories of "Negro Bandit Robs," etc. Since Rondello's arrest these stories ceased. He faces a penitentiary sentence.



# 'Social Equality' Among Prisoners Arouses Nordics

Hattiesburg, Miss.—(ANP)—When a group of citizens visited the Forrest County convict camp, near here Tuesday and discovered that Negro and white prisoners "were herded together," a great protest was raised about the "unbearable conditions at the camp and the lack of proper facilities for the well-being of the prisoners."

The protest resulted from the entrance of some twenty or more white violators of the prohibition law, into the camp. The limited facilities were already taxed and the addition of more prisoners added to the problem. The petition signed by the citizens committee pointed out that the prisoners in the camp were suffering from all manner of indignities and discomforts.

## COAST NEGRO EXECUTED

Pays With Life for Murder of Bay St. Louis Mechanic.

BAY ST. LOUIS, Miss., April 26.—Silas Richardson, 31, negro slayer of John Dambrino, Bay St. Louis automobile mechanic, on Aug. 14, died in the gas chamber in Hancock County jail here at 11 o'clock this morning after the Mississippi Supreme Court had denied his appeal. Theodore Bilbo had declined to commute his sentence. Richardson died from strangulation 12 minutes after the trap was sprung by Sheriff J. C. Jones. The negro was attended by the Rev. Lec Fahey, Bay St. Louis Catholic priest.

The condemned man maintained his composure to the last, declining to make any statement concerning his guilt or innocence, but praying for Divine forgiveness. "I'm going—I'm going," he said. "I think I've made it all right with God. I've sinned, but He'll forgive me." Richardson uttered a final goodbye, just before the black hood was placed upon his head.

About 40 persons witnessed the execution inside the jail building, while an orderly crowd of 500 persons stood in the streets around the jail yard.

The murder for which Richardson was executed took place in the Bay St. Louis city jail, where the

negro had been locked up on an automobile theft charge, and where he is caught for violating the prohibition laws, either for bootlegging or for making the stuff, there is a white man somewhere under cover who enticed him into it and initiated the business. Not always, but the times are as numerous as hairs on the head.

Richardson fled and was at large for 12 days before discovered returning to his father's home here, after he had hidden in the woods west of here for a short time before going to New Orleans to work on a ditch digging gang. After his arrest he was removed from the county jail at Jackson.

The hanging of Richardson was the first legal execution in Hancock County in 20 years.

**TIMES-JOURNAL**  
SELMA, ALA.

APR 18 1929

## The Negro's Crime Record

Some figures recently published by the Prudential Life Insurance Company showing the crime records of various cities of the country gave Memphis the bad eminence of being the worst crime-ridden city of the United States and placed Birmingham a close second. The explanation offered is that these urban centers contain a heavy negro population and that the negro is a born violator of the law. This deduction, however, is not sustained and borne out by other factors that enter into the equation. The fact that all the executive machinery of the law in the South is in the hands of the white people may at least partially account for the high percentage of arrests among negroes and also for the unfailing regularity with which negroes are convicted and punished.

The negro makes a very much more flattering showing as a criminal when he is disassociated from the white man. Striking proof of this assumption is given in the case of Mound Bayou, Mississippi, a town of 3,000 population, all negroes. The City Council of Mound Bayou recently ordered the jail closed "as a useless and unnecessary institution."

The records show that only one arrest has been made in the negro community during the past six years, and for more than 20 years the town has not had a murder. No uniformed officers parade the streets and many of the oldest inhabitants have never seen a policeman in uniform except when on a visit to some neighboring city. The experience of Mound Bayou is a conclusive demonstration that the negro under the proper environment is not a criminal. All of his native elements of character appear to fit him for good citizenship. There is a mountainous mass of evi-

AMERICAN

HATTIESBURG, WIS. Miss

MAY 4 1929

## "LITTLE CHICAGO"

"Hattiesburg is getting as bad as Chicago, size and population considered." No, this remark was not made by the editor of The American, but was made to the editor by a man who has lived in the Hub City for years, who belongs to its chamber of commerce, is a director in one of its banks, and whose deeds speak louder than his words as to his belief in the opportunities afforded by this city and section.

Thursday night's hold-up of a clerk at Hotel Hattiesburg by a masked bandit is the latest outrage to mar the "peace and quiet" of this community. Last Thursday evening it was the dastardly assault of Convict Guard Jim Watts on F. L. Windham on the Main Street of the city with two deputy sheriffs and a constable within calling distance, and no effort made to take Watts' gun, even after he was "arrested" and went through the formality of making bond.

A few days before it was an attempted assault and battery in front of the courthouse by "a special deputy sheriff without pay." Not long ago gangsters fired through the upstairs of a Hattiesburg home in their efforts to murder undercover prohibition agents. At the beginning of the year, it was the brutal murder of "Son" McCallum by a small band of lynchers.

Officers are always armed with "alibis" while the criminals are permitted to keep their guns. Some of the fellows on the public payroll are so busy "passing the buck" after a crime occurs that its perpetrator has an easy time "getting away with the jack." Some of the very men who boast of the fact that they were "the people's choice" team up with the lawless element so beautifully that one is lead to ask whether anybody else than law violators participated in their election.

Crime is prevalent everywhere. Deeds of violence are all too common. Hattiesburg is no exception to the rule in this regard. But the amazing thing around here is that the forces of law and order seem impotent to make their protests effective, whereas in numerous other places law officers

are in a measure at least responsive to public opinion.

The vast majority of Forrest county people are peace-loving, law-abiding citizens, intent only on attending to their own business and letting others mind theirs. The time has come for every good citizen in this county to realize that it is very much his or her business to insist that duly-elected officers get on the job and stay on the job or else get out. We want more arrests and fewer alibis; more "guts" and fewer "gats"; stronger eyesight and milder breath; a higher sense of official duty and a lower "costs" bill.



# EITHER THE LAW OR THE MOB

Negroes, one tenth of the population, committed more than half the murders in Kansas City in 1928. We have no more reason to kill than whites. They too have their poor, they drink, they gamble, they quarrel, they have tangled love affairs. But ever before their eyes stands the gallows and the prison cell. While for us, so long as we kill our own murder is pastime. Forty-seven murders in 1928, nearly one a week, is a ghastly record.

This orgy of blood will not continue within present limits. Negro murderers, emboldened by their immunity from punishment, sooner or later will become callous to the point where their crimes will make the community reel with horror, white as well as Negro victims falling before knife and gun.

Laxity in law enforcement is the seed of summary punishment by mobs. It was the vigilantes who tamed the west. The early lynchers defended their acts by claiming summary punishment was required to fit the crime. It is either the law or the mob. When indignation at some crime stirs this community, the mob will not be choosy in whom it attacks.

"Race" will leap into the foreground, and Kansas City will have its race riot, —all because Negro murders are treated as matters of small moment.

We ask trial for every killer, and punishment, death or imprisonment, where the killing is a felony. The hundreds of us who will be victims of knife or gun in the hands of black murderers, and the thousands whom a mob would attack can only await our doom, if the officers of the law keep on treating murder of Negroes by Negroes as not worthy of punishment.

## THREE MURDERS OVER WEEK END BRING TOTAL FOR YEAR TO 14

### West Side Restaurant Owner Found Shot Four Times; Woman Beaten to Death

Three murders over the week-end have raised the year's total of killings of Negroes by Negroes to fourteen, an average of one every eight days.

John Cummings, said to have been about 40 years old, was found shot to death in his barbecue and soft drink place at 1005 West Seventeenth street at 2:30 a. m. Sunday by a woman customer who had entered to purchase food.

Cummings was found sitting in a chair with his legs crossed, and four bullet holes in his head.

A roundup of persons who had been seen near the place or who were suspected netted thirteen persons, all of whom were freed Monday except Louis Canada, whose cap is said to have been found near the scene of the killing. Canada was bound over to the state on a charge of first degree murder Tuesday.

#### Sitting Erect in Chair

The murder was discovered by Mrs. Vader Sims, 1852 Belleview street. Mrs. Sims told police that she had gone to the place to buy a barbecue sandwich about 4:30 Sunday morning. She said that when she entered she saw Cummings, apparently dozing, seated in a chair with his legs crossed and that she called a greeting to him.

#### Shot Four Times

It had been raining, Mrs. Sims related, and near the man water was dripping from the roof. In attempting to dodge the dripping water the woman said her eyes were attracted to the floor by a large dark stain which she knew was not water. It was only then that she noticed anything wrong. One glance at the man seated in the chair showed a bullet wound in his head. The woman fled, and summoned neighbors. An investigation showed that Cummings had been shot four times in the head, and that he had probably been dead sev-

eral hours previous to his discovery. Police are of the opinion that Cummings was shot without warning as he sat unaware of his danger. Neighbors and acquaintances who knew the slain man state that he was of good reputation and had no enemies.

## YEAR'S TOTAL NOW UP TO 41

### Three Shootings and One Cutting Result in Death

Four more murders over the week end sent the year's total of killings of Negroes by Negroes to 41. The total for the whole of last year was 47.

When her estranged husband found her in the company of another man last Friday night, Mrs. Baker, 1810 Tracy avenue, was cut to death by him. Her jugular vein was severed. Baker was caught by precinct Tug Carter and lodged in jail.

Mrs. Mary Buford, 919 Charlotte street, had some trouble with her on-in-law, Willie Holmes and he lay in ambush for her Sunday and shot her in the left hip. She suffered a dangerous fracture of the hip bone and died of the effects. The boy refused to halt when commanded by district car officers and was shot in the leg and lodged in jail.

William Wolfscates, 1027 Woodland avenue, was shot Sunday night

by Mrs. Elizabeth Linder, 1712 Virginia avenue and died two days later. In her statement she claims the shooting was accidental, saying that Wolfscates came to her home drunk and carrying a pistol. She says she took the gun away from him because he was drunk and she did not want him to hurt anyone. She hid it under a pillow. But when he got ready to leave he remembered the gun and asked for it. She still wished to keep it from him and in the scuffle she claims he was accidentally shot in the hip. The coroners inquest on the case will be held next Thursday, October 24.

A card game argument was responsible for the killing of Ollie Thomas, who was shot by Joe Lewis at 1121 East Eighteenth street. According to Lewis, Thomas went "broke" during the game and left. He returned later and, after some delay, was admitted. Lewis says he shot him because he thought Thomas had a weapon and was going to break up the game. Dr. L. W. Turner, deputy coroner, did not find a weapon on Lewis' body.

### JURY, A NEW MURDER DEFENSE

For more than three years The Call has reported the homicides among Negroes in Kansas City, an average of almost one a week. Drinking, gambling, jealousy, robbery, revenge have left their bloody trail across our printed page. —To put an end to this murder lust, we have stressed the duty of Negro witnesses to testify so that the police and prosecutor would have evidence enough to convict. At the same time we have called for law enforcement that will bring every one of these killers to trial. The cases brought under this prosecutor and his predecessor, prove Negro witnesses are testifying.

But a new factor enters,—the jury. Last week, a Jackson county jury, all white, acquitted a Negro charged with murdering another Negro, their verdict being so at variance with the evidence that Judge Latshaw rebuked them. Evidently the opinion must join with that of Negroes before the law will throw its protection about our lives. That verdict amounted to saying the killing of Negroes by Negroes is no crime. The result could be no worse if the police would not arrest and the prosecutor would not bring killers to trial.

ing murderers, whether their victims be black or white.

The lives of Negroes are as dear to them as are those of other men. Laxity of law enforcement that lets them be murdered, cannot draw a color line across which their slayers will not cross to other victims. Murder is murder. Its suppression is the community's duty. The short way, the only way to make life safe and the law respected is for all public opinion to support the officials in punish-



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ing murderers, whether their victims be black or white.



## GOOD TRAITS GONE WRONG

A couple of men shooting dice, one of them loses; he tries to borrow from the winner; a fight; another victim of murder lust. Week after week Negroes in Kansas City roll up a bloody record of indifference to human life. Until prosecution exacts the extreme penalty, reckless, thoughtless savagery will go on unchecked. Either of these combatants could earn the sum involved in a day. Either of them would throw it away in five minutes for "a good time." It is the environment, the dice or the liquor, the love triangle or the criminal greed, that brings on the bloody contention. The police have a part in stopping murder, by bettering environment, but the bigger job right now is prosecution. Until Jackson county judges, juries and the county prosecutor make it plain that crime by a Negro against a Negro is to be punished the same as if it was against a white man, murder will continue to run riot.

A little gambling for a trifling sum ought to be just that. But somehow in the clash of desires and judgment, it becomes a call to battle, a challenge which the mistaken idea of honor and bravery carries to the extreme of battle and death. The earnestness, the zeal, the courage of the combatants, if exercised in legitimate channels would make them valuable to the community.

## OTHER FORMS OF WHITE CRIMINALS

We commented last week upon the work of the blackened faced robber as being dangerous to peace and welfare. Another class of criminals which operates more freely than the blackened faced robber, but no less to our hurt, are those who fake robbery and name some imaginary or descriptive Negro.

One of the latest cases which has been called to our attention is that of a white woman, Mrs. Louise Watson, 5141 Rosa Avenue, who feigned robbery when she mislaid her jewelry and thought of the one sure shot to deceive her husband, the police and the public and that was by saying a Negro had robbed her. This, she did. It worked fine. The police were called in. She related how a big burly Negro had forced his way into her home after ringing the door bell, seized her at the point of a revolver, gagged and tied her, hand and foot, ramshackled the house, stole her money and jewelry and made his get away just about fifteen minutes before the arrival of her husband, but later her jewelry was found and therein lies the story of a robbery.

This was a pretty exciting story. As the police listened, we can fancy how their imagination of the black culprit enlarged. In fact, it really became dangerous for a Negro to be found in the neighborhood. As quick as some of these policemen are on "trigger" when a Negro is involved, it would have been fine sport to shoot the first Negro seen in the neighborhood. No doubt, when these officers were listening to this woman's story, they were making up their alibis or rather excuses which they expected to tell the Police Board after they had killed a Negro.

We cite the above line of circumstances to show how dangerous such a woman is to the peace and welfare of not only the Negroes, but to the community. Of course, she well knows that she is not the only one who uses the name "Negro" to hide their deeds. It is all possible that she has heard discussed in her clubs how easy it is to lay a crime on a Negro in order to avoid suspicion. Surely she remembers as a girl or young woman hearing father, mother, sister or brother recite how easy it was to cast suspicion on a Negro. This case is no different to hundreds of others that are being committed by white people daily in this county, but the Negro race is made to suffer because it is easy to place crime on a Negro. Hundreds of Negroes have been lynched and possibly scores have been burned at the stake because of false accusations owing to the fact that white men, women and children have found it convenient to accuse a Negro.

Of course, the metropolitan daily newspapers have made their contribution to this crime against us by featuring false and flimsy stories. We understand that news about a murder is what the reporter is told. If the victim says "Negro," the reporter writes "Negro," etc. But it does seem to us that just a bit more judgment should be used in some cases.

The writer has no desire nor inclination to indulge, condone or encourage crime among the colored people. We rather condemn it. We would tell them to shun the very appearance of evil, for their chances for a square deal are small. In fact, we know that they are guilty of committing by far too many crimes without laying the crimes of others at their door.

## MURDER TOTAL PASSES 1928 MARK

Call 12-129  
Hot Argument and Knifing  
Lead to 48th Killing  
Of the Year  
Kansas City, Mo.

Bruce Jackson, 30, 1327 Lydia avenue was stabbed to death Saturday night and in his dying statement of the operating table at general hospital No. 2 he named Robert L. Johnson, who lives in apartment No. 4 at the same address, as his slayer.

In his statement, Jackson said Johnson came to his apartment (No. 12) seeking his wife, Alice Johnson, who is a cousin of Jackson. Jackson said Johnson had been rummaging around in the Jackson apartment with a rifle, seeking Mrs. Johnson and declaring, with much profanity, that he was going to kill her even if all the policemen in town were called.

Johnson left and went to his own apartment and Jackson followed him telling him he did not like the way he had come into his private quarters looking for his wife. Jackson said Johnson ran at him with a knife and cut him across the stomach and cut him across the stomach.

Mrs. Mattie Jackson widow of the murdered man, in a statement to police, said her husband had told Johnson he did not mean any harm and that he was not meddling in his cousin's affairs, but he did object to him coming into his (Jackson's) apartment with a rifle. She said that after Johnson had cut her husband he said, "Is that enough? If not, I'll give you more."

Johnson, who was arrested and charged with first degree murder made a statement in which he said he had come home and his wife had stepped out of the apartment. He thought she had gone to the Jackson apartment since Jackson was her cousin. He said he went up and inquired for her, but did not disturb anyone and had no words. He says Jackson came downstairs and objected to the way he had inquired for his wife. He said he apologized and promised not to do it again, but that Jackson grabbed a chair as if to hit him and he pulled a knife in self-defense.

The killing is the forty-eighth one since January 1, 1929 among Negroes in Kansas City and is one more than the total for the whole of 1928.

## SECOND HEARINGS PENALTY IN SIX WEEKS

Call  
Murder Occured October 5  
In Argument Over

\$1.30

Slowly, but surely the prosecutor's office is bringing pressure to bear on Negro murderers of other Negroes.

Last week, in Judge A. Stanford Lyon's court, Jerome Holland was sentenced to life imprisonment in the state penitentiary at Jefferson City for the murder of Henry Green. Kansas City, Mo.

Green was slain in a resort on Southwest boulevard on October 5, 1929. The argument was over a gambling debt, said to have been \$1.30. The state brought the fact that Green threw down the sum of \$1.50 for Holland in order to settle the argument, but nevertheless, was shot seven times. Green lived at 38 Powell street.

According to the prosecutor's office Holland had been implicated in two gambling shooting scrapes prior to this one.

The case was handled by Joseph Gorman, assistant county prosecutor.



Crime - 1929

*Patriot*  
20. *Shelbyboro*  
2.C.

JAN 31 1928

## Chicken Stealing Prevalent.

THE PATRIOT is informed by no less an authority than E. E. Eller that chicken-stealing on an extensive scale is becoming prevalent in Wilkes County. We had imagined that chicken-stealing had gone out of style along with long skirts and the one-horse shay, but it seems that it still remains a favorite pastime with some undersirables, who are too lazy to work themselves and prefer to make their living on the fruits of the labor of others. For several years all we have heard of chicken-stealing has been the stale vaudeville stage jokes about the colored man, but the present epidemic of stealing really constitutes a serious situation.

If some of the thieves who are making depredations on the poultry houses in Wilkes can be apprehended and stern justice is meted out to them the thieving practice will soon be discouraged.

The present chicken-stealing in Wilkes seems to be on a wholesale scale, large and high-grade poultry flocks being attacked rather than the small hen houses with their less valuable birds. Mr. Eller informs us that scarcely a day passes that some Wilkes resident doesn't visit his produce house and ask him to look out for stolen poultry. The birds are probably being sent out via the "truck route," as were the cows stolen in this section several months ago.

The following news item appeals to us as offering a favorable solution for the problem:

Lamar, Mo.—An entire family was sentenced to the Missouri Penitentiary for chicken theft here today. Mr. and Mrs. W. O. Irwin and their three sons, Galva, 22; Clinton, 19; and Joe, 17; were charged with the theft of 1,200 chickens during

North Carolina.

the last few months and each was sentenced to five years in prison.

Wilkes must put a stop to chicken-stealing, as did the Missouri authorities. We cannot afford to have a basic and important industry retarded and curtailed through this thievery.

WINSTON SALEM, N. C. WINSTON-SALEM, N. C.

FEB 8 1929

## WHITE MAN HELD FOR BURNING NEGRO SCHOOL BUILDING

Reidsville, Feb. 8.—W. A. Scott, deputy insurance commissioner, came to Reidsville to make investigation of the burning of Latitude School, a negro institution of learning located in New Bethel Township, the structure having been destroyed by fire Aug. 13, 1928. After running down several clues, Mr. Scott swore out a warrant against Oscar Sharp, son of Mr. and Mrs. Sam G. Sharp, whose home is also in the community near where the school was burned, placed it in the hands of Sheriff Gardner who sent his deputies to the Sharp home in New Bethel, where the arrest was made, Sharp furnishing bond for his appearance at a preliminary hearing in Reidsville.

Claud Williams, the first witness called, testified that the defendant, Oscar Sharp, came to his home on the night of Dec. 1, 1928, and while in the presence of himself and family stated that he had burned the Latitude negro school, Mrs. Williams and the son each concurring in the testimony given by Williams.

Each witness stated that Sharp said he started the fire by saturating a portion of the interior of the building with gasoline and lighted it with a match, using a gallon paint bucket for a receptacle to carry the gasoline to the building.

## White Folks Lead In Chicken Stealing

Winston-Salem, N. C., April 17.—ANP—Judge Thomas Watson of municipal court, threw a bomb into the realms of "Buffalo" heresy Tuesday when he disclosed the fact that white folk had taken the lead in chicken-stealing, according to the records of cases tried in his court.

"If this condition keeps up," opined the judge, "there will have to be a white man in each of a number of the familiar chicken-stealing cartoons and stories."

ENTERPRISE

*High Lying H.C.*

MAY 16 1929

## STRANGE PLACE FOR FINE SMILE.

One wouldn't look for a "million dollar smile" in state prison and certainly not among the men serving life sentences. Yet in the North Carolina prison is a lad with such a smile who has been there since 1922 and is due to be there from now on.

APR 22 1929

## Who Go to the Electric Chair?

North Carolina is sentencing to death a group, convicted of capital crimes, of poor, ignorant, mentally defective, insane and psychopathic persons, and not only sentencing them but electrocuting them.

Such is a summary of the findings of the State Board of Charities and Public Welfare, published as special bulletin 10. This same bulletin conveys the compiled statistics regarding the 200 persons, 199 men and one woman, committed to the State Prison at Raleigh for capital crimes since the electric chair was instituted in 1909 to January 21, 1928. Negroes represent 74.5 per cent. of the commitments during the period. Ninety-four of those committed have met death in the electric chair, 71 of them for murder, 21 for rape, 2 for burglary. Of the 71 electrocutions for murder, 59 were negroes; of the 21 for rape, 20 were negroes and the first degree burglaries were committed by negroes.

Most people are against the infliction of the death penalty upon the insane, but have no confidence in the expert testimony presented at trials involving the sanity of a felon. Therefore in the meantime we simply leave it to the Governor to interfere in behalf of the feeble minded and save them from the electric chair.

As the Charities' Board bulletin suggests, we need a more constructive State-wide program for dealing with the mentally defective, clearer legal recognition of such deficiency and more adequate institutional provisions, as well as sterilization.

Prison News, published by the prisoners, carries this story of the youth:

"On November 7, 1922, a mere boy who was just emerging into young manhood was admitted to the State's Prison and the few simple words on his commitment papers signified that within a very short time, he was due to 'go down.' He was committed from Edgecombe county in company with a brother, two years his senior, who had also received a similar sentence. A short while before the expiration of the time allotted them by court order, the sentences of both boys were commuted to life imprisonment by a kind hearted governor, and the older boy was paroled during 1927 owing to his having contracted an incurable case of tuberculosis from which a malady he died a few months later.

"Sidney Gup-ton, the younger boy, had just passed his eighteenth birthday when he became a resident of the State's Prison and it was during his first few weeks on 'death row' that he acquired the nickname of 'Jocko' by which name he is still known to all of the prisoners and prison officials. A negro boy about twelve years old occupied a cell adjoining Sidney's on the 'safe keeping' side and in answer to the query regarding his name, Sidney jokingly told the boy that his name was Jerry and he was known by this name on the 'row' for a few days until it so happened that a new



arrival was admitted into this exclusive circle whose real name was Jerry, where-upon the inmate of another near-by cell addressed Sidney as 'Jocko' and he is still 'Jocko' to every one within the 'Walls.'

"Prior to his admission young Gupton was merely an uneducated, care-free farm boy, but he was possessed of a dimpled smile and a genial nature, and his narrow escape from the electric chair seems to have instilled in him a steadfast ambition to make the most of such opportunities as were tendered him in his new surroundings. He has always given his best efforts to every task assigned him and has spent his spare moments reading and as a result he has gradually acquired a moderate education. He early showed a natural aptitude for all kinds of mechanical appliances and by strict obedience to orders and close application to his duties he has gradually been given charge of the 'yard,' having under his supervision the boilers, pumps, the Administration Building elevator, moving picture machine, the blacksmith shop, the carpenter shop, and the vast and intricate plumbing system of the Prison with its oft-needed repairs. He is truly a Jack-of-all-trades and is an expert at all of them. Whenever there is a leak in any of the pipes, or when a belt breaks, or a window pane needs replacing, or when any of the other countless repair jobs which arise in an establishment as large as ours needs attention, a call is immediately sent out for 'Jocko,' and he comes with his heart-warming smile, the repair is made promptly and efficiently, and he passes on to his next job still smiling.

"Truly 'Jocko' is an example of a 'lifer' who is making good in spite of

handicaps which a man with a less stout heart would go down under and many of us more fortunately situated could well profit by a study of his outlook upon life. Those who come and go would do well to remember his ability to display his 'million dollar' smile upon all occasions."

### There's A Difference.

**B**LIND JUSTICE may hold the scales with even hand, but all who observe the courts know that when it comes to actual practice that line is merely a pretty figure of speech, often spoken of and seldom used.

Harry F. Sinclair, the oil magnate who has at last been landed where he richly deserves to reside for a long, long time—jail—has been surrounded with privacy and special favor since his incarceration. It is an old saying that you can't convict a million dollars, and after months of prosecution the courts found that they were unable to convict Sinclair on a number of serious counts, of which he was obviously guilty.

However, he was finally tripped up for committing a minor misdemeanor, merely refusing to answer a question or two in a Senate investigation. After many a hard-fought legal battle, the Supreme Court of the United States upheld the sentence of the lower court that he serve three months in the District of Columbia jail for contempt of the Senate. After using his money to absolve himself of guilt in the more serious charges, he was unable to keep from serving a sentence for his technical error.

The same paper bringing the news that at last a millionaire has been awarded a small share of the punishment which his acts have deserved also carried an item from Asheville to the effect that a negro, who had been convicted of assaulting a country merchant, had his sentence prolonged for two years by a Superior court judge because the defendant gave the wrong address of his former residence.

The negro had been given a stiff sentence of three years for the assault and two years was added because he misstated the facts about where his home was.

Sinclair is a millionaire; the negro is poverty-stricken. What a whale of difference a few ill-gained dollars make when one brought into our "Temples of Justice," either high or low estate.

**TIMES**  
**RALEIGH, N. C.**

**MAY 14 1929**

### BUCKSHOT FOR WHITE CONVICTS OF A PRISON FULL OF NORDICS

A sudden break for liberty by convicts engaged in highway construction near Selma brought a volley from shotguns in the hands of guards. Two were badly hit and were brought to the Prison Hospital at Raleigh.

This shooting is a part of the prison problem, if prisoners are to be worked in the open under guard, as on all counts they should be. It is not subject to the just criticism which follows the wanton killing of petty misdemeanants confined in county road camps. The distinction between the two cases is a sharp one: for the county prisoner is merely a weak brother who has in one way or the other offended peace and good order; but the convict in State's Prison has committed a felony and is therefore presumably a really dangerous person to have at large. When he shows sufficient desperation to run in the sight of armed guards the presumption is strengthened and the shooting is a justified consequence.

Even so, it does seem that we might have amongst prison guards a certain standard of marksmanship that would minimize the chances of death by the shotgun. A running man at less than rifle range is a large, fat target. The guard with a shotgun ought to be able so to place its load as merely to cripple and not to kill.

But every piece of news that comes from the State Prison, every compilation of statistics, is a commentary on the major social phenomenon that is now the penal problem.

Observe that of the fifty felons lodged at this camp, all were white!

Of the hundreds and hundreds of felons in the charge of the prison authorities, only a small percentage is of the negro race.

**PRESS**

**MAY 30 1929**

It is common knowledge that the colored race believes in insurance to the extent that the majority of them have health, accident, sickness, and life policies. Several mysterious deaths among the negroes in Washington, N. C., brought on an investigation which disclosed the fact that

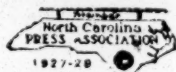
a certain negro woman had insurance on the lives of nearly a hundred negroes. She has already received insurance money on six persons who died during the past year. Other negroes were much disturbed when they found that they were listed in the policies which were found in the negro woman's home after she was arrested. She has been jailed, awaiting the outcome of the investigation. Since money has been so tight during the past year, the "Auntie's" dangerous plan was a paying one.



HERALD

JUN 4 1929

THE OLD and NEW address.



## IMPRESSIONS OF PRISONERS HELD FOR BRUTAL MURDER—

There was a ripple of commotion in town the other day when the news got abroad that two respectable and inoffensive colored people of the county had been murdered. General satisfaction prevailed when it was learned that the supposedly guilty parties had been arrested and safely incarcerated in the county jail.

After the coroner and the sheriff had pretty well surveyed the situation, I sought and gained the sheriff's permission to see the two culprits. Before seeing them I had conceived the idea that they were both brutal visaged bullies who looked as if they neither feared man or devil and didn't give a hang if the cock-eyed world knew it. I think I have never missed my mental calculations more. The sheriff took me to the "padded cell" where the younger of the two men was confined. In all my life I have never seen a more haggard and woebegone figure than I there saw crouched down in one corner of that cell. This was Marvin McLeod, the young negro who had been working in the Ennis home up until the very hour of the killing. He was seated on a pile of prison bedding with an aluminum pan between his knees greedily eating his dinner of bread, vegetables and fat meat. At our approach he slowly turned his greasy, grinning face toward us and asked us for a cigarette. Clinched between his long fingers he held a gob of fat meat at which he would take a bite in much the same manner that an ape in a zoo would have munched his food. He made no attempt to get up but continued to sit slouched down in his corner with legs spread in V shape before him and his somewhat

slender body drooped until it almost rested between his legs. In this posture he sat and fumbled at the uneaten food in his pan for a half hour or more, during which time he related a double murder that, from a standpoint of cruelty and ghastliness, Edgar Allan Poe's "Murders in the Rue Morgue," which was committed by a savage and infuriated orangutang, seems but a trifle. In relating his horrible story he seemed to be as careless of its consequences as it relates to him as if he had been telling about a dog fight. He seemed to have but one care and in that he never once contradicted himself; he shot neither the man nor struck the woman, neither did he touch the bodies. He ran errands, he helped to plan the thing from beginning to end, he watched for the approach of others, and he attempted to make good his fight and that of his accomplice; but never once did he so forsake his cunning as to admit that he had taken any hand in the act of striking the fatal blow. In his slow way of faulty reasoning he seemed to think that inasmuch as he had lent no other assistance than this, that he would be held blameless for the death of his victims. While he did not try to conceal anything, he stammers so badly that it was very difficult to get any coherency into his story. But as best he could relate (or fabricate) his story, Arthur McCoy is the red-handed slayer of Ira Ennis and his wife, Annie.

Arthur McCoy is as black as the ace of spades and a man of quick thought and well developed intelligence. He looked the swaying body of the other Negro straight in the eye and told him he was lying on him. He disclaims any part in the crime or any knowledge of it until arrested by Deputy Sheriff Hinton. He worked hard all through the day of the murder and stayed home at night and entertained company with his guitar. He has a perfect alibi during the entire day and night. McCoy has never been arrested before.

McLeod has a rather bad court record.

There is a school of thought now striving for a place in our judicial system which provides for a psychiatrist as a member of our court officers. The thought is very unpopular as yet. Professor Albert Coats recently made a speech in Chicago in which he referred to this unpopular idea and compared its standing among other court

officials to the place an illegitimate child would have at a family reunion. The idea is probably unpopular, but murders like this one forces us to the conclusion that much devilment could have been prevented if this dangerous moran could have been placed in the hands of an able psychiatrist when he robbed Mr. Marshall Lassiter's store some three or four years ago.—H. V. R.

## CRIME BY NEGROES ON DECREASE IN NORTH CAROLINA

Greensboro, N. C.—(ANP)—Because of better educational facilities, crime among Negroes was decreasing rapidly throughout the state of North Carolina, according to N. C. Newbold, state supervisor of Negro schools.

Speaking before the 232d Annual convention of the North Carolina Yearly Meeting of Friends, Mr. Newbold told of the progress being made in the state in the promotion of education among Negroes. He outlined the program of advancement which is being followed and declared that due very largely to the improvement of present institutions and the addition of other schools, the percentage of crime among Negroes had decreased from 68 per cent to 38 per cent and that the crime percentage was 4.8 per cent below their percentage of population in the state of North Carolina.

Mr. Newbold pointed out that strenuous efforts were being made to make schools for Negroes in North Carolina the best in the country and that the highest trained teachers were being attracted to the state. His observations also led to the opinion that Negroes were advancing character building much faster than the whites.

## Give Up Sneak-thievery to Carolina Whites; De- plores Lawlessness Of Whites.

WASHINGTON, D. C., Sept. 12.—(C. N. S.) — Negroes have largely given up sneak thievery to the versatile white men, according to the Raleigh Times (white) of Raleigh, N. C., in an editorial which analyzes the reports of the clerks of court of North Carolina to the state attorney general. 9-14-29

Claiming that the Negro will in time give up bootlegging as a "Bad Bet," the editorial deplores the condition which exists among the whites and points to statistics con-



tained in the clerks' reports to substantiate their claim that the Negro element of their community is constantly becoming more and more law abiding: Pittsburgh, Pa.

The editorial follows:

"Our Crime Wave Unspectacular But Its Tide Running Strong."

"Such things as the Snook trial monopolize the headlines, but meanwhile our own North Carolina crime wave is going strong and gaining momentum. Clerks of the court having reported to Attorney General Brummitt on the results of the fall and spring terms of 1928-29, an analysis of what has been happening in the population is anything but reassuring:

"Cases involving males to the number of 15,848 were listed as disposed of, while females were involved in 960 and corporations in two.

"Charges involving intoxicating liquors led the list with 5,307 cases disposed of and larceny and receiving was next with 2,874.

"There were 11,946 convictions during the terms, 1,888 acquittals, and 2,883 nolle prosses. Ninety-three cases were listed as 'otherwise disposed of.'

"White persons were involved in 10,422 cases; Negroes in 6,321; Indians in 65, and corporations in two.

"Note particularly the great predominance of white over Negro defendants and the 2,874 indictments charging larceny and receiving.

"Then consider that at a modest estimate there are five crimes committed for every one that figures on the court docket, and whither are we drifting no longer stands as an oratorical question.

"Sad as this report is, one thing remains as a reassurance, and that is the constant betterment of the Negro in law observance. The cases are not so far catalogued, but it is a certainty that a large percentage of the crimes with which the colored race is charged have to do with bootlegging for white men.

"There was a time when most of the stealing was done by the blacks, but the whites have invaded that criminal resource as they have taken over old established racial trades. In time bootlegging, also, doubtless will be given up by the Negroes as a bad bet, as they have largely given up sneak-thievery to the versatile white men.

"What to do? Who knows! But the picture is anything but a pleasant one."

THIRTEEN men and three women of Gastonia, N. C., are facing the electric chair as a result of their activities in connection with the recent textile strike in North Carolina a few weeks ago. During this fracas a policeman was slain and his death resulted in murder charges against the 16 persons.

Although these textile workers are charged specifically with murder, it is the consensus of opinion that they are being tried more because of their demands for equal working conditions for both races in the southern textile industry than because they are alleged to have caused the death of a policeman. It is generally known that it is pure heresy for white people to declare for the equality of races in the South—any kind of equality. And these workers, knowing that they can never solve the labor question as long as there exists an inequality between workers based upon the color of their skins, dared defy southern traditions to that extent. Now they are to be tried for murder—a sort of inquisition. You can understand by this how serious the race question has grown in this country, and can understand why you have so few friends who dare plead your cause. You can also take hope in the knowledge of the fact that where white people are willing to suffer for the principal of equality there lies the spark which will soon develop into a fire of justice.

## CONVICT LEASE SYSTEM DROPPED BY NORTH CAROLINA

Raleigh, N. C., July 12.—(P)—North Carolina today decided to take its convicts out of the mines.

The state prison board, puzzling over ways of employing the state's record prison population, voted that 198 prisoners now being worked in the mine of the Carolina Coal Company at Sanford be withdrawn. They will be given employment along with 570 other idle prisoners, on the state highway system.

The board, passing the resolution withdrawing the men from the mine, stated that employment of prisoners in mines was not in harmony with the policies of the present administration and that such employment had proven neither profitable nor satisfactory to the state.

The men were leased to the mining company 15 months ago. Since that time seven have been killed or died of injuries. Five were killed in an accident in the elevator shaft, one was accidentally electrocuted and another died of injuries received while working.

## NEWS

Edenton, N. C.  
NOV 6 1928

## JUSTICE

The Supreme Court of the United States usually is regarded as the most important court in the country. However, the whole scheme of law and justice in this country rests upon a foundation provided by such primary courts as the juvenile courts, recorder's courts, superior courts, and the corresponding courts in other states. It is in these courts that criminals are made and unmade, and law established and broken down. No structure is stronger than its foundation, and the citizen interested in the course of justice has reason to worry when there is evidence of unreliability in one of the primary courts.

Take Chowan recorder's court, for instance. In it the pendulum of justice seems to swing irregularly.

In April, an illiterate negro boy, obviously of low mentality, forged the names of two local citizens to three small checks, and passed them in local stores. He was held on a forgery charge, and kept confined in the antiquated Chowan jail, among older men of all types, until September, when he was released upon payment of the amounts of the checks and court costs, which amounted to considerable. This boy thus served almost six months in jail, in what could easily be a school of crime, since men in cells are certainly not an uplifting influence upon fellow prisoners, particularly those of young and impressionable minds.

Yesterday, a slick white stranger who has been preying upon the community for some weeks in the guise of a magazine subscription solicitor, wrote out a check in a restaurant, signed to it the name of another, carried it (and a borrowed fountain pen) across the street to a bank, and presented it. Forgery? The judge of Chowan recorder's court, the same one who had held the negro boy on a forgery charge, decided not.

There is a State law against registering falsely at a hotel. This same stranger admitted doing just that. Incidentally, he had towels belonging to another hotel in his luggage when arrested. But the judge of Chowan recorder's court turned him free. The slick stranger was still in town today, with plenty of license to continue to prey upon citizens who depend upon courts to protect them. He remains unpunished, either by law or interested young men, for striking a young woman as she sat in a car on Broad Street Saturday night.

Such miscarriages of justice naturally break down the confidence of even the best citizens in the reliability of our courts.

## 500 Negroes Sent from Charlotte to Florida to Work as Peons There

CHARLOTTE, N. C., Dec. 22.—Negro workers from the Charlotte section are being sent to Florida into a condition of actual peonage. Five hundred were sent about two months ago by agents here, a man by the name of Johnson and a Negro tool of the organization.

Representatives of the Crusader News Service, investigating this incident and the practice of recruiting peons here for work in Florida, have been threatened.



Crime-1929

## Kluxers Who Drove 200 Negroes From Homes Are 'Allowing' Return

NORTH PLATTE, Neb., July 17.

The 200 Negro workers who were driven out of town by a mob of kluxers following the alleged shooting of a policeman by Louis Seeman, Negro, who was later mobbed and murdered in his home, are being "permitted" to return to their quarters.

Several of the Negro families that were chased into the surrounding country by the lynchers, whose leaders were representatives of the boss class, ventured to make their way back to North Platte yesterday while others are reported to be en route.

In order to placate the anger aroused in all U. S. workers, white and black, by this dastardly outrage, Governor Arthur Weaver today issued a flamboyant statement "demanding the safe return of the Negroes" and the attorney general backed up this four-flushing move by promising an "investigation," declaring that he would "prosecute the case to the limit." He indicated that some arrests might be made immediately—of Negro workers, no doubt.



Crime - 1929

## UNION

Atlantic City, N.J.

FEB 8 1929

### JUSTICE WILL BE DONE

About to be convicted of the murder of a state trooper on December 28, when the latter was taking prisoner to a jail, David Ware, Negro, has been granted time for the authorities to decide if he is mentally responsible or a fit inmate for the insane asylum.

According to evidence submitted, the murder was as cold blooded an attack as ever recorded in state crime annals. Ware wanted to kill a woman occupant of the car in which the three rode, but the trooper prevented an attack, whereat the Negro cut the throat of his captor.

The trial judge in assuming so great a responsibility as declaring it a mistrial, was between two fires. If the accused was guilty of a crime of the seriousness of which he had full appreciation, interference with the course of justice would be a grave error. Yet to send a man to death if he is irresponsible, no matter how shocking his deed, would weigh as heavily upon a sensitive mind. Expert opinion on insanity differed, so the court decided that for the next two months the murderer shall be under close observation in the hospital.

However, public sentiment in the locality may be aroused, the judge, since he declares the report at the end of the two months would determine a new trial, cannot be censured for giving the defendant the benefit of the doubt. Justice is not to be confounded with revenge; an eye for an eye is not applicable to a maniac.

## NEWS

BAYONNE, N. J. FEB 21 1929

### OUR MURDER TRIALS AND POINTS WEST

It is so seldom that Bayonne has an angle to a murder trial that the boys about town are smacking their chops in anticipation of several interesting days spent at the County Court House, at the expense of "Dynamite Dan" Murnane, one-time member of the boxing fraternity in this city and now facing a charge of murder.

The last murder trial in which Bayonne figured was that of "Red" Owens, a negro, who was convicted of the murder of one Sheppard, another negro. That attracted little attention. Before that was the trial of Dock L. Stone for killing Andrew and Joseph Iskra, whom he caught stealing coal from the Lehigh Valley.

The most sensational of recent years was the trial of Marie Zelio, who was acquitted after admitting she stabbed a Jersey City gentleman to death after a wild party. After it was all over Marie said she was "going West" to start all over again. She is living in Elizabeth, which, after all, is west.

### RECORD

Lambertville, N.J.

APR 25 1929

### JUSTICE AT LAST

David Ware, negro murderer of Trooper Peter Gladys, is now in the death house of the New Jersey Penitentiary awaiting execution during the week of May 27th. For nine months the case has dragged through expensive legal battles, during which Ware shammed insanity in an effort to defeat justice.

It is rumored that the legal battles might be assigned largely to political jealousies between the prosecution and defense. But justice appears at last about to be vindicated. The murder was a brutal one—Ware having almost severed Troopers Gladys's head from his body in a cowardly attack while he was being taken before a Justice on the charge of disorderly conduct. The Trooper was driving at the time and had no chance to protect himself in the sudden attack.

New Jersey.

## RECORD

LONG BRANCH, N. J.

APR 20 1929

MERCURY

David Ware, the Robbinsville negro who slew State Trooper Peter Gladys by slashing his throat with a razor while Gladys was, some months ago, taking him before a magistrate to answer to a minor charge, had been convicted of murder in the first degree and sentenced to death.

Let us hope there will be no miscarriage of justice in this case as there have been in so many. Ware's action was utterly without justification. Had he been found guilty of the charge on which he had been arrested the maximum penalty must have been slight. His own testimony showed him to be a bully and a brute.

Portia's famous tribute to mercy is not always to be taken literally. The quality of mercy sometimes is strained, as when "it droppeth as the gentle rain from heaven upon the" merciless slayer and ignores his victim and those who loved and depended upon him. Society owes far more to Trooper Gladys, who was doing his duty, than it does to Ware. It owes its servants, of whom Gladys was one, protection, and this is deliberately denied them when such as Ware are allowed, on the interposition of baseless pleas for mercy, to escape the full penalty of their crimes. It may be true that "in the course of justice none of us should see salvation," but it is equally true that we owe justice to the victim just as really as we do to the criminal.

Jerseyman  
Harristown, N.J.

MAY 22 1929

### Dixie Pays A Debt

Down in Sing Sing Prison one night twelve very pale witnesses of whom the writer was one sat down on pew-like benches in a brilliantly lighted room. At the opposite side of the room sat a slim little Negro strapped to a big chair. On his brown right leg there was clamped an electrode while over his head was placed a cap that looked much like a flier's helmet. The little Negro looked like a frightened young high school football player, sitting on a side-line bench.

Around the walls of the room stood a dozen guards in blue uniform, grim-faced. From an alcove to the right rear of the electric chair the face of Robert Elliott, state executioner peered at the back of the little man's head. At the other end of the room stood the principal keeper, huge, topping the other guards by a good half a head. Near him, draped in a flowing black gown was the prison chaplain. The latter was reading the Twenty-third Psalm. "The Lord is my Shepherd," he was saying.

"I shall not—" the little man in the chair started to mumble. The crunch of a switch being shoved home cut short his reply. There was a whine of a tremendous current of electricity followed by crackling very similar to that made by the trolley of a surface car on a rainy day.

The little man in the chair stiffened abruptly and his hand turned slowly over. A blue spark shone for an instant where the electrode touched the bare leg. A little curl of smoke rose from the helmet.

Ages passed while the electricity continued to crackle and the little man's hands continued to move helplessly, pitifully. The twelve pale gentlemen on the benches were paler now. Some averted their eyes. Some tried to appear interest-



ed. All were revolted.

Suddenly the crackling stopped. The little Negro sagged against his bonds. The executioner peered brightly from his alcove. The prison physician stepped briskly forward and, opening the blue shirt, applied a stethoscope. "I declare this man dead," he said impersonally.

The deft hands of guards loosed the straps and the body was swung gently on a wheeled table. Swiftly it was run from the room.

It was exactly 11:06 p. m.

It had been exactly 11:01 when the little man, looking very bewildered and frightened, had marched into the glare of the room behind the praying chaplain. Five minutes! It seemed an age to the twelve gathered officially to witness the execution by electricity of Dixie Baldwin.

In those five minutes the state, exacting its toll for murder, had converted Dixie Baldwin from a scared and friendless little Negro to clay. He had committed a murder, the state said. Therefore he died.

But was it right? Can the state continue to degrade itself by these occasional executions when the vast majority of murderers through clever counsel or technicalities or wealth escape the penalty?

\* Dixie Baldwin was found guilty of murdering a farmer thirty-four months before he died. He was convicted on circumstantial evidence. He had not money, no friends and no relatives. He was illiterate, subject to epileptic fits and deeply religious. His appeals and his plea for clemency were refused. He died in the chair.

Now suppose that Dixie had plenty of money and had had Clarence Darrow for counsel? Do you suppose that he would have died in the chair? He would not.

He would have been adjudged insane by the testimony of hired alienists and placed in a comfortable asylum as was George Remus, of Cincinnati, and Harry K. Thaw, murderer twenty years ago of Stanford White but who may be seen playing nights along Boardway. He might possibly have gotten "life" as did Leopold and Loeb, who perpetrated one of the most revolting butcheries in all crime history. But Dixie Baldwin would not have died in the chair if he had had money

enough to hire counsel and alienists.

And that is why capital punishment is unjust. We kill only those who are too poor and friendless to squirm out through astute counsel.

Such a system of justice is obviously unfair and cannot survive. It is a disgrace to the state and to civilization. If every citizen of the State were required to attend the death of some poor, friendless devil like Dixie Baldwin, the barbarous custom would not last longer than it would take to tear the chair from its cement base and toss it to the junk-heap of civilization along with slavery and witch-burning.

TRENTON, N. J.  
GAZETTE

DEC 14 1928  
**PRESENTS VIEWS ON  
ARREST OF NEGROES**

**Dr. Frankel Sees Discrimination—Says Much Juvenile Crime Mischief**

Dr. Emil Frankel, of the State Department of Institutions and Agencies, believes a large proportion of arrested Negroes are in custody because of a "greater willingness to arrest them and to the disproportionate emphasis placed on Negro minor offenses."

A large part of juvenile crime, said Dr. Frankel yesterday, is scarcely more than mischief brought into contact with the law. In a survey conducted by Dr. Frankel, he found need for adequate social and health service, improved community environment and better economic opportunities for the Negro population.

To each 100,000 of Negro population, Dr. Frankel said, there are 425 patients in New Jersey hospitals for mental diseases as against 261 per 100,000 of white population. In 1927, he asserted, the general death rate for the white population was 1,094 per 100,000, as contrasted with 2,389 per 100,000 for the Negroes.



Crime - 1929.

New York.

## E. H. Wilson Jr. Named On Crime Commission

9/29/29  
Edward H. Wilson jr., formerly connected with the Carlton Avenue branch, Brooklyn, and the Detroit Y. M. C. A.'s, now executive director of the Columbus Hill Welfare Community Settlement, has been named by the District Attorney's office as one of a committee of nine to study juvenile crime conditions in New York, the purpose being to make recommendations to Police Commissioner Grover Whalen.

The first meeting was held Monday, September 3, in office of the Kings County District Attorney, when plans were formulated for procedure by the committee. The personnel of the commission includes Jewish, Catholic and Protest-



Crime - 1929

## Harlem Morals Deplorable

NEW YORK. Judge Charles C. Nott told members of the National Probation Association this week that moral conditions in Harlem are deplorable.

At one time last summer, he said, over 50 per cent. of prisoners in the Tombs awaiting trial were colored, out of all proportion to the population.

## Police Lynch Law

ONE OF THE MOST DISGRACEFUL things in the history of Harlem occurred Sunday before last on St. Nicholas avenue. Edward Allen, driving an automobile with a cargo of bootleg liquor, collided with another car and failed to stop when the police ordered him to. After a chase he was captured. He had committed three offenses for which the law provides adequate penalties — reckless driving, illegal transportation of liquor and refusal to obey a policeman's order. The duty of the police was to arrest him, turn him over to the court and let the court punish him.

BUT THESE POLICEMEN did not wait to have him tried and sentenced. They tried, sentenced and punished him on the spot. Six of them jumped on him and began to beat him with fists and blackjacks. Four policemen held him helpless while another pounded his stomach and still another hit him on the head with a blackjack. They said that he had nearly run over two policemen who tried to stop his car.

LAST SUMMER the police of the Harlem precinct were incensed at what they called the unjust attack of The Amsterdam News on their brutality. What else can they expect when they act like a gang of thugs, beating up defenseless prisoners? How can they expect the police uniform to be respected when the wearers of it resort to lynch law, when they terrorize the community instead of protecting it? If they are really upholders of the law, why is it that many of the witness of their thuggery are afraid to testify against them, fearing their retaliation? When the police themselves set the example of lawlessness, is it any wonder that we have riots? When the people are made to feel unsafe in a policeman's hands, when they feel that an arrest means a beating after they reach the station house, if not before, is it any wonder that they become desperate?

THIS CONDITION need not last and it will not last if the people take it in hand properly. Captain Archiopoli, the present head of the Harlem precinct, is opposed to police brutality and has promised to support The Amsterdam News in its fight against it. This means that any witnesses of the St. Nicholas avenue mobbing will be protected if they come forward and tell the truth about it. The people of Harlem do not have to stand for police lynch law, and the captain of the precinct is behind them.

New York.

## Crime in Harlem

JUDGE CHARLES, speaking at the annual meeting of the National Probation Association last week, said: "Last summer one-half the inmates in the Tombs were Negroes, ridiculously out of proportion to the Negro population of Manhattan. Conditions in Harlem are terrible, and with the population steadily increasing, they will become steadily worse." He said also that legislatures were slow to see the need of an adequate staff of fairly paid, competent probation officers.

IT IS TRUE that Harlem has not enough probation officers; the few who work here are sorely overworked. But the problem goes deeper than the matter of probation officers or other remedial agencies. If Harlem had ten times as many probation officers as it has now the real core of the evil would still be untouched. It would be like cutting off branches to save a tree when the roots are rotten. Historians like to say that the seeds of the French Revolution were sown by Voltaire, Rousseau and the other doctrinaires, who preached of the rights of man; but the real seed was in the griping stomachs of hunger-maddened French peasants. If the stomachs of the peasants had been full the doctrinaires could have talked for a hundred years without getting a rise out of them.

IN THE SAME WAY the welfare workers and advisers are overlooking the real background of much of the crime in Harlem. Many children grow up as delinquents for lack of parental supervision because both parents are forced to go out to work to make ends meet. But why do mothers have to work? It is because the Negro man, though subject to the same expenses and extortions as the white man, often finds it impossible, because of his color, to get a job which will enable him to meet those expenses without the aid of his wife. He may have enough skill as a plumber to make \$15 a day, but where can he get the job? He cannot even get a place as a street car conductor or subway guard. Even in many places where he used to work, such as hotels and clubs and private residences as butler or waiter or chef, his job has been taken by foreigners.

IF YOU SHUT OFF a man's chance at a good job you dull his sense of ethics. If you despise him as a social and economic outcast you have done your best to make him act like one. Chivalry, ethics and high codes of honor thrive best among people with full stomachs and all the world before them. The advice of a hardheaded jurist to a law student was: "Get on; get honor; get honest." If employers and trades unions would throw open their doors to Negro workers there would be far less Negro crime in Harlem and elsewhere.

## Police Terrorism

THOSE WHO FEEL that nothing can be done to end police brutality in Harlem should note the case of Police Lieutenant Dugan of Jersey City. He was brought up on the charge that he had assaulted a colored woman in the station house when she went there to make a complaint about her husband. The police commissioner held a pub-

lic trial at which 1,500 people were present, and Lieutenant Dugan was dismissed from the police force of the city. Commissioner Beggans said: "Every mother, sister and sweetheart here has every right to walk into a police station and to walk out unmolested."

THE SAME RIGHT belongs to male citizens, whether in Jersey City or in Harlem. Any man who submits peacefully to arrest has every right to feel that he will not be beaten brutally either at the moment of his arrest or at the station house. The sole duty of the police is to arrest and guard offenders, not to try them, sentence them and punish them. The law says that no man shall be punished twice for the same offense. This law is violated when a man is punished by the police and then by the courts. The people do not have to stand for this. If they will get together in Harlem as they did in Jersey City and demand the dismissal of policemen who abuse the privileges of their uniform, they will soon put a stop to police brutality in Harlem.



## Crime in Harlem

### Harlem Morals Deplorable

NEW YORK, June 19, 1929. — Judge Charles C. Holt, today, in a report to the National Probation Association this week that moral conditions in Harlem are deplorable.

At one time last summer, he said, over 50 per cent. of prisoners in the Tombs awaiting trial were colored, out of all proportion to the population.

## Police Lynch Law

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MAR 16 1929

## CRIME AND PUNISHMENT.

Shortly after an insurance company statistician had reminded the American people that the murder rate in this country has doubled since 1900, Police Commissioner WHALEN is out with a report showing that New York City is keeping well up in the municipal crime procession. Although over \$2,000,000 more was spent on the Police Department in 1928 than in 1927, the results were not discernible in keeping down criminal impulses. There were 339 cases of murder and manslaughter, as contrasted with 278 in the previous year, and nearly all other forms of crime moved upward in the scale. The city seldom realizes its own size until it glances at its conduct report card, as made out annually by Police Commissioners. That 1,110 persons were killed and 45,955 injured in New York City traffic accidents in a year reads like a page out of barbaric history.

Crime is on a percentage increase in this country, and what is going to be done about it? In Chicago yesterday the judges were trying to reach an agreement to deal with criminal cases only for six weeks, leaving civil actions to rust. Everywhere in America bar associations are seeking ways to speed and cleanse criminal court machinery. The President is approaching the appointment of a Federal commission out of which, it is hoped, some effects in better public order will come. Meanwhile, the court calendars are cluttered with charges (such as selling liquor) which are not *malum per se* but have been legislated into crimes. And what seems like a deterrent one year is swept away by the following year's statistics. The only credible comment on the situation is furnished by the incredible facts themselves.

No checking of the effect of punishment on crime is obtainable because in so many cases either no arrests have been made or convictions have not been obtained. Yet New York, as American cities go, has rather a modest murder record—6.7 per cent. Detroit with 16.5 looks like a shambles in comparison, and it has passed Chicago's substantial figure of 15.8. The insurance company statistician ascribes Detroit's unen-

viable eminence to the large increase in its negro population, and it is a fact (as the statistics of Southern cities reveal) that where there are large negro groups homicide flourishes. Negroes often carry weapons; they fall easily to quarreling; the conditions in which drink must now be purchased tend to lessen police control of city negroes; and when they move to a new town, as to Detroit, they are excitable and fall quickly to "carving." This is especially true when Southern negroes come among unfamiliar social conditions, where they mistake all the whites for "trash." Even on home grounds the Southern negroes continue to be quick on the trigger and rapid with the razor. Memphis with a percentage of 60.5 and Birmingham with 54.9 again lead the civic murder lists.

## HIT MURDER OF NEGRO YOUTH

### Condemn Jim Crowism at Harlem Meet

Negro and white workers of this city protested against the brutal murder of the Negro school boy, Henry Clarke, at a mass meeting last night at St. Luke's Hall, 25 W. 130th St.

The speakers were Charles Alexander, of the Young Workers League, R. B. Moore, of the Communist Party, Odessa Clarke, mother of the dead boy, J. L. Engdahl, editor of the Daily Worker, Wilhelmina Burnoughs and John Owens, of the American Negro Labor Congress, Leo Grant, of the Harlem Inter-racial Club, and Harry Eisman, of the Young Pioneers. Harold Williams, of the Negro Department of the N. Y. district of the C.P., acted as chairman.

The speakers tendered the profound sympathy of the YWL to the murdered boy's mother, but stressed that his death was but part of the system of Jim Crowism and racial prejudice deliberately fostered by the capitalist class.

Engdahl said: "Every Negro and white worker must rally in protest against this vicious and brutal killing of Henry Clarke by his white playmates who were misled by 'Nordic superiority' and superstition, which is due to the corrupt system

of education, sponsored by the government which deliberately fosters racial divisions and racial prejudices, thereby dividing the workers and enabling the bosses to set one group of workers against the other."

Moore declared: "The capitalist system is responsible for the murder of Harry Clarke. It is responsible for all lynchings, Jim Crowism, peonage and other forms of discrimination which the Negro race and Negro workers are subjected to. It is responsible for the segregation of Negroes into certain sections of the city resulting in congestion

## Navy Co-operates To Stop Attacks

### Sailor on U. S. S. Arkansas Is Identified as Assailant

Crews of eighteen United States war vessels have been inspected by N. A. A. C. P. representatives, with the co-operation of the Navy officers, in an effort to identify sailors who attacked and beat two colored men in the New York subway recently. As a result of this inspection, one man has been positively identified as having committed the attack and a naval Board of Inquiry is to be appointed.

William T. Andrews, special legal assistant of the N. A. A. C. P., accompanied Carol Clark, one of the attack victims, to the Navy Yard in Brooklyn on Saturday morning, Dec. 7. They were informed by Captain Ganoa, of the battleship Wyoming, that all the men on the ships under the command of Admiral Cole would be lined up for inspection and one man on board the Arkansas was positively identified by Mr. Clark.

The N. A. A. C. P. protested to the Navy Department last spring about attacks on Negroes by sailors on shore leave in New York, and Messrs. Johnson and White complained in person to Admiral L. R. DeSteiguer, commandant of the Brooklyn Navy Yard. The attacks stopped at that time have apparently recommenced and the N. A. A. C. P. is determined to make an example of some of the offending sailors.



**THE THIRD DEGREE!**

*The Union* 11-28-29  
"Louisville, Ky.-(By A.N.P.)-The Grand Jury is investigating Third Degree Methods used on Colored prisoners. Five police officers have been called before the Grand Jury to answer the charge of beating a Colored prisoner, breaking his jaw and two ribs trying to make him confess the killing of a police officer. Later the guilty one was captured in another state." *Cincinnati Ohio*

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The 3rd degree is neither confined to Louisville nor Negroes. This species of more than beastly brutality, is a product of Police mentality, which is on a par with the Middle Ages. Its condonement by civic authorities shows the status of our civilization. the lack of Christianity.



Crime-1929

Ohio.

## OTHER GRAFTERS BESIDES NEGROES

During the months of January and February condemnations of a Negro office holder who was indicted for bribery could be heard from the barber shop forum to the editorial pages of our daily press.

But the indictment of Councilman Schooley, and the investigation of acts of other councilmen have proven that a Negro is not the only one who can be suspected for bribery.

It generally happens that when a Negro takes something, he chooses a small item and gets a long sentence, but when a white man takes something, he chooses a large item and gets a short sentence. Councilman Schooley's indictment concerns thousands of dollars, while Councilman Fleming's indictment concerns only \$200. We do not advocate the increasing of amounts for bribes of Negroes, but we insist on sentences in proportion to the amount involved. We shall watch the trial of Councilman Schooley.

## From Commercial Tribune

City Manager Starts Investigation To Determine Whether Patrolmen Will Tell Fibs To Shield Brother Officers — Probe Follows Schroe's Dismissal.

Do policemen lie to shield fellow officers? And do they intimate witnesses in hearings against patrolmen? These questions will be the subject of a scrutinizing investigation through the City Solicitor's office, it was said by Col. Sherrill, City Manager. It was also intimated by the City Manager that upon the result of the investigation may depend a possible shake-up of the personnel of Cincinnati's Police Department.

Yesterday, Col. Sherrill dismissed Ray C. Schroe, patrolman. The officer was charged with unnecessary assault upon a prisoner. Before he was dismissed, however, much turbulent water swirled under the bridge that leads from investigation to decision.

The prisoner, Matella McGill, Negro, 531 Hopkins street, was arrested August 4 because she made too much racket while "bawling out" her

companion, James Ison, Negro, 415 West Fifth street, whom she accused of taking some of her cash. She was arrested at Laurel and Cutter streets by Patrolman Schroe.

### Said She Was Beaten

Getting out of the Black Maria at the City Jail Matella looked much like a well-thumbed and overly handled last month's magazine. She said that Schroe "beat her up."

Schroe maintained that he did not do such thing but averred that he merely "defended himself" from the Amazonian assaults of the 118-pound Negress.

At a subsequent investigation Schroe reiterated his statement. Fellow officers affirmed his story and stuck to it, according to Col. Sherrill. The City Manager was of the opinion that some one not only grievously blundered, but also lied. The Colonel spared no energy in characterizing the alleged fabrications as "lies."

### Investigation Started

He then began an investigation on his own initiative, and Friday heard testimony from residents of the Lincoln Park area who witnessed the fracas and testified that Schroe did "brutally" assault the Negress.

Schroe was then suspended.

Yesterday morning, however, a "surprise witness" burst into Col. Sherrill's office to testify in behalf of the suspended patrolman. For obvious reasons the name of the witness has been withheld.

The gist of this witness's story was that the officer did no manhandling of his prisoner.

"We'll see about that," said Col. Sherrill, and forthwith dispatched investigators to reinvestigate the case. They went to the homes of previous testifiers. For the same obvious reasons these names are not mentioned. To the amazement of the investigators they found that two of the principal completely reversed their allegations of Friday.

### Prisoner Is Blamed

"No, indeed, the officer did not use vile language. The prisoner used vile language. No, the officer did not strike the woman. The woman struck the officer. Knocked his hat off. No, the officer did not beat her up." Such were the second statements of the one-time condemning witnesses.

Col. Sherrill, who had just informed The Commercial Tribune that Schroe was dismissed, sent a hurry call for all available reporters.

They came a-running and found the City Solicitor in earnest conference with the City Manager.

"The case is all shot," said John D. Ellis, City Solicitor. "This testimony is a complete reversal."

Col. Sherrill addressed the reporters — "Don't say that Schroe is dismissed," he said. "We are going to conduct another investigation and get at the bottom of this."

### Schroe Is Dismissed

As the reporters left Chief of Police Copelan walked in. He remained with Col. Sherrill about two minutes. He emerged from the office to say that Schroe was dismissed. The decision was based on further investigations made by Chief Copelan.

"He's dismissed," confirmed Col. Sherrill.

That, however, was not the end of the matter.

Col. Sherrill then ordered a complete investigation of all persons who had testified in the case, both the police and the civilian witnesses. The City Solicitor was given the assignment.

The questions to be answered through the coming probe are who lied? and was the reversal of testimony the result of intimidation, or merely the suddenly calmed judgment of witnesses who, twenty-four hours previously were all excited.

If it is found that fellow policemen have stretched the truth to the breaking point, Col. Sherrill said that he was "going to put a stop to the practice of lying by the police." In the meantime the personnel of the Police Department will be under the searching rays of the well known spotlight of investigation.

## FACTS AND FIGURES

### OUR CRIMINAL RECORD

To the Negro Citizens of Cincinnati: The Enquirer of July 23 carried on page 22 an article under the caption "Homicide Rate," in which City Manager Sherrill was quoted as explaining the high homicide rate of Cincinnati as due to the fact that the city has a large transient Negro population that drifts here from the South. Such a statement requires some facts to support it, in order to avoid any persons being misunderstood, and that no group as a whole will be unjustly accused of being breeders of crime.

A thorough investigation has revealed that the facts well support such a statement. One explanation must be submitted. Within the time permitted to make this investigation it was impossible to ascertain the nativity or length of residence of either the victim or the assailant. Therefore, it can not absolutely be stated that transients are the sole cause. The facts do show, however, that Negroes exceed in crimes of violence, and that the number is gradually increasing.

The Death Records of the Department of Health show the following

for the past two years: WHITE—Homicide by Firearms 1927, 20; by cutting, 5; by other means, poison, 14; choking 39; 1928, Homicide by Firearms, 15; by cutting 3; by other means, poison, 4; choking,

NEGRO — Homicide by Firearms 1927, 34; by cutting, 8; by other means, poison, 6; choking, 48. 1928, Homicide by Firearms, 35; by cutting, 11; by other means, poison, 6; choking, 54.

In addition the homicide records in the Bureau of Records of the Police Department for the period from January 1 through July 22, 1929, were examined and analyzed. The records show the following:

WHITE—Death by shooting, 12; by cutting, 1; by assault and battery, 7.

NEGRO—Death by shooting, 13; by cutting, 11; by assault and battery, 4.

It must be understood that the figures for death by auto have been omitted. The figures show 50 whites and 9 Negroes killed by auto up to July 22. It can readily be seen that auto casualties have contributed to the homicide rate in a very large degree. But our concern is the part Negroes play in contributing to that rate by crimes of violence.

Of the 28 Negro homicides by cutting, shooting and assault and battery 23 of them took place in the First and Fourth Police Districts, which take in the West End; the balance of 5 occurred in the Seventh Police District which includes Walnut Hills. It can readily be seen that the homicide rate is appreciably increased by Negroes. Within a little more than six months a group representing about one tenth of the total population contributes more than 50 per cent of the city record of homicides by violence.

This is a severe indictment against all Negroes in Cincinnati, and especially so of the respectable and established citizens. No longer can the Negro citizenry of this city remain passive and indifferent to these things. The reaction is too great and affects far more than are actually responsible. For their own well-being and self-respect, and for the good name of the race, the time is at hand when individuals, organizations and churches must take immediate and



drastic steps to wipe out this stain upon the Negro residents of this city. We owe it to ourselves and to the city as a whole to rise up in righteous indignation against the forces that lower the standard of the race and the city by vicious emotional debauchery. The cure must come by a purging from within and not by a salve applied from without.

THEODORE M. BERRY

## PATROLMAN IS DISMISSED



Patrolman Ray C. Shrope, charged with having used undue force on Matella McGill, 531 Hopkins street, when arresting her August 4 at Laurel and Cutter streets on a disorderly conduct charge, was dismissed from the force following a hearing before Col. C. O. Sherrill, City Manager.

Col. Sherrill was preparing to dismiss Schrope, when City Solicitor Johr D. Ellis came into his office with information that two witnesses of the day before had chang-

ed their testimony over night. Col. Sherrill ordered an immediate investigation by the City Solicitor's office and held the case in abeyance pending the investigation.

Later he conferred with Chief of Police William Copeland and issued the dismissal order. The investigation as to the changed testimony will be continued.

In connection with the case yesterday Col. Sherrill said the practice of police officers telling lies to protect brother officers must be broken up. He said an investigation of his own indicated that Schrope had beaten the woman unnecessarily.

The woman was arrested on a charge of having been boisterous and disorderly. A companion admitted to police that he had hit her when she charged him with having stolen money from her.—Enquirer.



# Crime—1929

## WITCHES.

The Pennsylvania witchcraft murder is another reminder that the universal belief in witchcraft who were sure to be searched for if grown sporadic and spotty, is un-dying. In every "civilized" coun-try it turns up in the courts now and then. In the form of "Satan-ism" it has adopted in Paris, if we may believe M. JULES BOIS. There is quite a number of modern French books, some of them perhaps of mystifying purpose, on the sub-ject. The young man in York County who has just been sentenced to life imprisonment for the murder of a man who had put a "hex"—from "Hexe," a witch—on him, seems to have been somewhat muddled in his motives, but he followed the correct process in seeking to get a lock of hair from his bewitcher's head.

A single strand or a bit of nail-cutting or article of clothing would have done as well. The sorcerer dominates the victim's personality by this symbolic seisin of the part for the whole. The defense is by a counter-attack of the same sort. Our young man went too far. He should have hung around the village barber shop or searched the wizard's farm; and we must regret that other purposes than those of a pure devotion to one of the most ancient of sciences seem to have alloyed his methods. Of course the judge could not regard the theory that faith in the wonders of the invisible world is evidence or proof of insanity. An eminent contemporary writer on them seems to be almost a true believer.

Much of the testimony in the trial is refreshing to the student of old times. One likes to see the word "witch" applied, as it used to be, to male as well as female dabblers in black or reasonably white magic. A certain "high priestess" or witch-doctor promised to get the "hex"-layer's "book"; his grammar or book of enchantment. Surely nothing in "The Arabian Nights" can vie with this transformation of that most accursed work in all languages, a grammar; and "glamour" is a brother. Sometimes romantic words have devilish poor relations. The "high priestess" becomes her part. She is old, hawk-nosed. She recalls the poor decrepit beldames,

uttering to themselves, plagued by children, on whom it was so easy to fix the name of "witch" and already tried, the defense contended that it was with the intention of procuring a lock of hair and a book of "pow-wowism" to break a "spell" that the three went to Rehmyer's place. The commonwealth said the object was to procure money. The two juries which tried Blymyer and Curry must have decided robbery was the purpose for robbery or some other felony must be proved as a motive to make a case of first degree homicide where there is no premeditated plan for killing. The juries in each case recommended life imprisonment. Curry's counsel had fought for a verdict of manslaughter on the witchcraft motive. After the verdict was announced this attorney said: "The verdict is correct under the law. It was an atrocious crime and they want to knock this thing in the head." He said he would not ask for a new trial for Curry.

Come, infernal, terrestrial and heavenly Bombo, goddess of the broad roadways, of the cross-road, thou who goest to and fro at night, torch in hand, enemy of the day, friend and lover of darkness, thou who dost rejoice when the bitches are howling and warm blood is spilled, thou who art walking amid the phantoms and in the place of tombs, thou whose thirst is blood, thou who dost strike chill fear into mortal heart, Gorgo, Mormo, Moor of a thousand forms, cast a propitious eve upon our sacrifice.

## BOY, 14, GETS LIFE IN WITCH SLAYING

Lad Must Go to Pen, Despite His Age, Says Prosecutor; Third Hex Trial Starts.

York, Pa., January 11.—(P)—The vitches took another fall today with the conviction of 14-year-old John Curry of murder in the first degree. Curry is the second of the so-called "witch breaking" trio to face imprisonment for the first of his life for the murder of Nelson D. Rehmyer. The first of the three was John H. Blymyer, "pow-wow" doctor and alleged master mind of the slaying, this afternoon the third member, Wilbert G. Hess, 18, went on trial. Rehmyer was killed on the night

of November 27, last, at his home, a ramshackle building. On the two cases already tried, the defense contended that it was with the intention of procuring a lock of hair and a book of "pow-wowism" to break a "spell" that the three went to Rehmyer's place. The commonwealth said the object was to procure money. The two juries which tried Blymyer and Curry must have decided robbery was the purpose for robbery or some other felony must be proved as a motive to make a case of first degree homicide where there is no premeditated plan for killing. The juries in each case recommended life imprisonment. Curry's counsel had fought for a verdict of manslaughter on the witchcraft motive. After the verdict was announced this attorney said: "The verdict is correct under the law. It was an atrocious crime and they want to knock this thing in the head." He said he would not ask for a new trial for Curry.

To get a lighter sentence for the third defendant his counsel will have to convince the present jury that the two others were in error. Harvey A. Gross, former district attorney, is his counsel. The commonwealth presented its case rapidly and rested just prior to time for adjournment of court at 5 o'clock.

Despite his age Curry will have to go to the penitentiary. District Attorney Hermann said tonight.

## Witch Doctor Is Convicted Given Life For Murder; To Ask New Trial

YORK, PA., Jan. 9.—(P)—John H. Blymyer, "pow-wow" doctor, was convicted by a jury tonight of first degree murder. The jury recommended life imprisonment. He was found guilty of killing Nelson D. Rehmyer in Nov., 1928. The verdict was returned after the jury had been out two hours. Blymyer heard the pronouncement with apparent indifference.

### To Seek New Trial.

Herbert B. Cohen, defense counsel, immediately asked permission of the court to file an appeal for a new trial. His request was granted. Sentence will not be pronounced until disposition is made of the appeal. Under Pennsylvania law, the jury is required in returning a murder in the first degree verdict to specify the penalty, which either is execution by electrocution or life imprisonment. The verdict was said to have been reached as a compromise. Three polls, it was said, were necessary to obtain a unanimous decision.

By its verdict, the jury decided Blymyer was sane and unless the appeal is granted he will be sent to the Eastern Penitentiary, at Philadelphia.

### Accomplices' Trial Today.

As soon as the verdict was returned preparations were made for starting the trial tomorrow of Blymyer's two alleged accomplices in the slaying of Rehmyer who like Blymyer, practiced "pow-wowism." These defendants, indicted with Blymyer, are Wilbert G. Hess, 18 and John Curry, 14.

Milton G. Hess and his wife, parents of Wilbert, testified for the defense today in the case of Blymyer. They told how they had developed "troubles" and had been informed by Blymyer that Rehmyer had them "hexed." They said that Blymyer had planned to visit the alleged "hexer" and break the spell by getting a lock of his hair and a copy of the "Long Lost Friend" and a book on witchcraft. They said they had known of the arrangements for the visit and had sanctioned Blymyer's request that Wilbert Hess accompany him.

### Pow-Wow Doctor Calm.

Blymyer himself also testified in his own behalf today. The long peak-nosed dabbler in the mystic arts showed no excitement on the stand.

After he had told how the crime was committed in his efforts to get the lock of hair or "the Long Lost Friend" his counsel asked him.

"Did you intend to kill Rehmyer?"

"No sir."

"Do you feel better now that he's dead?"

"Yes sir."

"Why?"

"Well I ain't hexed any more. You see when he was buried the hair was buried too and the spell broken. It was just the same as if I had got the lock of hair and buried it. I can eat and sleep now."

## THIRD WITCHCRAFT SLAYER GUILTY, FACES 10-20 YEARS

Good Verdict, Says Defendant; His Mother Takes Blame for Predicament of Boy.

Courtroom, York, Pa., January 12. (United News.)—Wilbert Hess, third defendant in the "hex" killing of Nelson Rehmyer, 58-year-old farmer recluse, was found guilty of second degree murder by a jury late today.

Hess was the only one of the three witchcraft murder defendants to escape with less than life imprisonment. The law provides for second degree murder a term of 10 to 20 years imprisonment.

Two earlier juries this week had convicted Hess' alleged confederates in the slaying—John Blymyer and 14-year-old John Curry—of first degree murder and recommended life sentences for them.

"It was a good verdict," said Wilbert as he stood at the head of the jury box, surrounded by well wishers, shaking hands with the jurors as they filed out. He was chewing gum energetically.

His mother, Alice Hess, who, as a witness, took much of the responsibility for the boy's predicament, wept as she said she would make the best of it.

### Mother Takes Blame.

"I sent my boy down to Rehmyer's," she said after court adjourned. "but I wish I hadn't. I wish this had never happened. Oh, how I wish he had never gone."

There was unfolded today in a courtroom here the story of a family bewitched.

It was the story of the Hess family, reasonably intelligent people who have lived all their lives on the outskirts of the town of York, once the seat of the continental congress, whence sprang this government.

It was just as frank and heart-searching a recital as one could have heard had they been within the comfortable home of the Hesss out on their 14-acre farm, and heard father, mother, sons and daughter-in-law joined in family counsel.

One by one they came to the witness stand and protested their belief in evil spells. With utter candor they added that the belief remains unshaken.

Because a member of that family group, Wilbert, aged 18, stood at the bar accused of the murder of Nelson Rehmyer, in York's witchcraft trial, they were willing to lay bare their souls.

### Mother Sent Son for Hair.

The mother, Alice Hess, buxom once but now lined with care and grief, dressed in black, hesitated not a moment in saying she sent her boy to get a lock of Rehmyer's hair because she was convinced that by that means alone could the spell which was breaking up her home, health and happiness, be destroyed.

"And did you believe you were bewitched?" asked Harvey Gross, defending her son.



"Yes I did and I do still," Mrs. Hess answered, raising her voice to give more emphasis.

"How did it feel," asked the lawyer. "Oh, it was terrible and it was wonderful," she said. She used "wonderful" in the old sense of "full of wonder."

"I couldn't do my work, I felt awful. I just went around and couldn't do anything. I couldn't get meals for my boys when they came home from work. I didn't care. I didn't care whether they had anything to eat or not. And my chickens got away and they would not lay. And we had trouble with some neighbors. And something happened to my cow. I could feel it all the time. And, oh, it was terrible."

#### Father Believes In Witches.

Also, the father, a tall, thin man just out of a sick bed where he believes he was sent by the devils which beset him, told his story. He is a man of some energy, for he runs a 14-acre farm and still has time to hold a job in the kitchen of the York Y. M. C. A. He spoke in a thin voice.

"And did you believe you were bewitched?" he was asked.

"Oh yes, oh yes," he said, as if to one would consider it more remarkable to be bewitched than to have a cold.

"And how did you feel?"

"Oh, my flesh was burning all the time. I could not get away from it. I couldn't think. And such terrible things happened. We had trouble. The chickens got away. We had been happy. But my family was all in trouble and beset. The cattle went away. They couldn't eat. We couldn't even get them to drink. It was awful, terrible."

Clayton Hess, 23-year-old brother, who has been a witness in each of the two previous witch trials, told the same story. He, too, believed he was under the evil spell.

"What made you believe that?" he was asked.

"My family was in such trouble," he said. "And John Blymer told my father that I was bewitched."

#### Blymer Accused Hexing.

Also Edna Hess, wife of Clayton, told her story. She was an attractive, all, slender girl neatly dressed in blue ensemble, red scarf, tan hat and heavy, horn-rimmed glasses. Her skirt was fashionably short.

She had gone with her husband when he took John Curry Blymer and Wilbert to the murder scene. She and her husband had returned home immediately, however.

"Oh, yes," she said. "John Blymer said that our troubles were due to the witches' spell and they were going to get a lock of Rehmeier's hair to raise it."

And Wilbert Hess, himself, gave prolonged evidence in which he never for a moment intimated there could be any doubt but that Beezlebub, invoked by Nelson Rehmeier, had called down all the calamities upon his parents' household. He went with Blymer and Curry, he brought out, to Rehmeier's house bent upon getting a lock of hair, which he would bury eight feet in the ground back of the hen house. Then the cows would come home on time, the chickens would lay their daily quota of eggs, the family troubles would be patched up, the

# Book of Mystic Remedies To Play Big Part in Trial Of Witchcraft Outrages

Volume, Compiled in 1820,  
Guaranteed To Cure All  
Disease of Man and To  
Stop Disaster.

York, Pa., January 5.—(P)—A little brown volume entitled the "Long Lost Friend" is expected to play a big part in the murder trials of John Blymer, John Curry and Wilbert Hess here. Under present plans the trial of one or more of the trio for the murder of Nelson Rehmeier, slain when he resisted efforts to obtain a lock of his hair for use as a charm, will begin next Monday. Repeated reference to the book and the charms which it contains were made in the confessions of the trio charged with the killing. Rehmeier. All the principals in the strange case apparently believed implicitly in the formulas of the volume. Indeed, the victim of the murder was believed to have a copy of the book and to believe in its teachings, and the trio asked to borrow it as a ruse to get into the Rehmeier home when they went to get the lock of hair they wanted to bury to charm away a "hex." This "hex" they believed had been placed upon the family and possessions of the Hess family.

#### Many Copies in Section.

Copies of the "Long Lost Friend" are to be found in the attics or cellars of many an old Pennsylvania Dutch family. One owned here bears the following printing on the fly leaf: "The Long Lost Friend, a collection of mysterious and invaluable arts and remedies for man as well as animals, with many proofs of their virtue and efficacy in healing diseases, etc., the greater part of which was never published until they appeared in print for the first time in the United States in the year 1820. By John George Hohman, Harrisburg, Pa., 1856, T. F. Scheffer, printer."

The next page says: "Whoever carries this book with him is safe from all his enemies, visible or invisible; and whoever has the book with him cannot die without the holy corpse of Jesus Christ, nor drowned in any water, nor burn up in any fire, nor can any unjust sentence be passed upon him. So help me." Under this statement are three crosses.

#### Partly Gypsy Lore.

According to the preface the volume was written by Hohman at Rosenthal, near Reading, in 1819. After three pages of "testimonials," the writer says:

"If any of the above named witnesses who have been cured by me and my wife, through the help of God, dares to call me a liar, and deny having been relieved by us—I shall, if it is at all possible, compel them to repeat their confession before a justice of the peace."

"This work," it continues, "is partly derived from a work published by a gypsy and partly from secret writings, and collected with much pain and trouble from all parts of the world, at different periods, by the author, John George Hohman. I did not wish to publish it; my wife, also, was opposed to its publication; but my compassion for my suffering fellow-man was too strong, for I had seen many a one lose his life or limb by mortification. \* \* Besides I am a poor man in needy circumstances and it is a help to me if I can make a little money with the sale of my books."

More than 50 pages are of various and sundry human and animal ills. In between "to cure the sweency in horses" and "cure for epilepsy" is a paragraph entitled "How to Make a Good Beer."

Relief from everything from mad dog bite to refusal of cattle to come home are included, many of them consisting merely of repeating charms in which the name of the Deity appears.

ne Associated

more than 3,456 gallons of gasoline taken on by the Question Mark up to noon. His description of his contacts with the Question Mark follows:

"Despite our heavy loads of gas and the weight of three men, our ship hops off like a pursuit plane. We climb to the altitude of the Question Mark and then throttle down and fly alongside of it on the left side to get its course and speed.

#### No Trouble in Contacts.

"I pick a landmark ahead for a straight course and maintain it. The Question Mark dips beneath us and is lost to sight, from me, although it is within 20 feet of our plane. Sometimes it comes as close as 10 feet and then I can see its tail.

"Lieutenants Woodring and Strickland lower the hose from the fuselage and Major Spatz fits it into the funnel and the refueling proceeds at 75 gallons a minute. All I do is fly straight course. My only signals come from Woodring by a rope attached to my arm. One long pull means 'slow up'; two pulls 'speed up'; a constant jiggle means the refueling is over.

"As soon as the Question Mark is through refueling she glides along to the left and then I land.

"We have had no trouble with the contacts. I have made nine contacts in the last 24 hours for an average of nine minutes each, making 81 minutes actual contact in 24 hours.



# 600 WRITERS COLLECT \$50,000 A DAY, ESTIMATE OF DISTRICT ATTORNEY

## Gambling Ruining Families, Wrecking Small Businesses; Clean Up Move Gets Good Start

PHILADELPHIA, Pa.—“I am convinced that the better class of colored people in this city are opposed to the ‘number game,’ and I believe that if these people will co-operate with us we can quickly wipe out the ‘number game’,” Patrick McKewen, chief of the county detectives stated to the writer a few weeks ago.

“The ‘number game’ is ruining the lives and the home of thousands of colored people in this city and it is my sincere intention to break the game. I am playing up favorites in making arrests. Anyone who has anything to do with the ‘number game’ is going to be arrested, regardless of his position, his political connections and his race,” District Attorney John Monaghan told the writer a few days later.

In the meantime, despite raid after raid, arrest after arrest in an effort to curb the growing ‘number

game’ practice in this city, ‘numbers’ are still being played. The ‘writers’ and players are a bit more secretive, but the game continues.

At the present time it is estimated by this writer that there are in the neighborhood of sixty houses in Philadelphia, with an approximate 600 writers, who average a daily play of more than \$50,000. More than \$8,000,000 is the toll of the ‘number’ racketeers each year, those who are close to the game estimate.

The efforts of police officials are made difficult because of the mania for gambling on a petty scale that many of the colored citizens of the city are afflicted with. There are still, despite the recent shake-up and cleaning out in the police department, many officers who wink their eyes at the game. While many who formerly are said to have taken ‘protection money’ have stopped this practice they are, by their very indifference, and collusion with the racketeers, aiding the game.

### Business Affected

Business is affected by the widespread playing of the ‘numbers.’ Insurance companies are the authorities for the assertion that innumerable policies have lapsed because of the inability of the policy-holders to pay their premiums and play the ‘numbers.’ They prefer the ‘numbers’ to the insurance policies. There is very little money for legitimate enterprises.



NEW YORK TIMES

TELL OF 'TORTURE'  
BY NEGRO CONVICTS

White Inmates of Philadelphia  
Prison Make Charges—Negroes  
Blame Deputy.

Special to The New York Times.  
PHILADELPHIA, Feb. 8.—Stories of torture and brutalities suffered by white convicts of Holmesburg Prison at the hands of a group of negro inmates known variously as the "head hunters," the "wrecking crew" and the "strong-arm squad" were related by the victims this afternoon in Central Police Court.

The negroes, John L. Cobb, John Patterson and Albert Dorsey admitted having given white prisoners "indoor airplane rides," but testified that they carried out the orders of Charles F. Sorber, former deputy superintendent of the prison, in order to escape similar punishment themselves.

Sorber was held under \$5,000 bail on two charges of aggravated assault and battery.

Samuel Fuhrman, now an inmate of the Eastern Penitentiary, testified that he was transferred to the colored block of the prison in March, 1927, and that "by the time a white man got out he wasn't worth much."

Fuhrman said he was visited one day by the disciplinary squad, hit with stools, buckets, clubs and blackjacks, thrown on the floor and kicked in the ribs and finally put in a dungeon in solitary confinement for forty-eight hours without food or water.

"I was not given any medical treatment despite the fact that for five months I bled externally and internally," he declared. He also described a second beating.

Similar recitals were given by Amelio Torres, serving a sentence for a hold-up, and Joseph Anicola, serving time for bigamy.

Joseph Otto, a prison keeper, corroborated the testimony of the prisoners and, pointing at Sorber, added:

"I was carrying out the orders of my superior officers."

The Holmesburg Prison, a county institution, was the scene early last month of a three-day mutiny, which some convicts described as the culmination of ill-feeling against Sorber, who had resigned in December.

PITTSBURGH WIFE  
TRAPPED AFTER  
KILLING HUBBY

White Woman at First Told  
Wild Goose Story of Color-  
ed Burglars.

CONFESSES AFTER QUIZ

"I Killed Him to Get Rid of  
Him," She Admits.

WASHINGTON, Pa.—Mystery surrounding the shooting of Charles Fee, 40, white, Washington county school teacher, was cleared late today when Fee's wife, Mrs. Verma Miller Fee, 30, also white, confessed to the shooting, according to District Attorney Warren Burchinal.

"I shot him because he was old and I wanted to get rid of him," the woman said, according to Burchinal.

The alleged confession Burchinal declared, told how the woman had shot Fee as he lay sleeping, and then had gone down stairs and fired three shots in order to make it appear as if her husband had been wounded by a colored robber.

CONDITION SERIOUS.

At the hospital where Fee is confined, physicians said he was near death.

BLAMED BURGLARS.

Mrs. Fee told Constable Ben Rathbone, of Houston, early Wednesday morning when he went to the home in response to calls from neighbors, that a colored burglar had shot her husband after threatening her when she refused to accede to his demands for money. After shooting her husband, she said, the colored man fired two shots at her. She pointed out bullet holes in the wall of a stairway and a buffet. Detectives said these shots were fired from the first floor instead of from the head of the stairs, where the Fee woman asserted the alleged colored burglar stood when he shot at her.

"There's been a little trouble and my husband is hurt," Constable Rathbone said Mrs. Fee told him when she answered his summons at

the door.

FINDS STAINED QUILT.

The constable said he entered the home to find Fee wounded in bed but still conscious. A blood stained quilt was hanging on a clothes line in the basement of the home, he declared.

Leaving the home for several minutes while he summoned a physician, Constable Rathbone avowed that when he returned, the quilt was missing from the line and further investigation, he said, disclosed that it had been set afire in the furnace. The ashes and a piece of the burned quilt were recovered, officials declared.

Under questioning by county detectives, the wife broke down and confessed.

RECORD  
PHILADELPHIA, PA.

RACKETEERS FIRE ON  
NEGRO POLITICIAN IN  
LOTTERY WARFARE

Target for Shots, Says  
He Wounded Fleeing  
Assailant.

LEADER IN WARD

A Negro politician, who, police, charge, attempted to oust a group of white lottery game operators in favor of Negro gamblers in South Philadelphia, was fired upon by six racketeers near his home yesterday afternoon.

The victim of the attack, Leonard Blunden, 58, 1719 Tasker street, escaped injury. He told police he wounded one of his assailants in the exchange of shots. All of the men escaped.

Blunden has been employed 28 years as a transcribing clerk in the office of the Recorder of Deeds, and is a Republican committeeman in the Twenty-sixth ward. He is under arrest in the Thirty-fourth district on a charge of reckless use of firearms, pending investigation of the case.

Blunden recently complained to Captain Paul Cacchio, of the Fifteenth street and Snyder avenue station, and Captain Charles Rivel, of the Twentieth and Federal streets station, that a number of residents of the vicinity had been swindled through the lottery game.

Police say Blunden demanded that the lottery games be broken up. The two police captains immediately made

a series of raids. Police believe they were unwittingly used by Blunden to break up the operation of the game by a group of Italians so that a Negro band would have sole control of it.

Blunden, it is charged, under the guise of desiring the number game stopped entirely, gave the police information concerning the places and the operation of the game by the Italians only. A Negro group, it is said, had complete control of the game in that vicinity until the Italian faction became active recently.

Blunden told the police yesterday a Negro, known as Charles McClaw, called upon him Sunday and offered him \$100 to stop the police crusade against lotteries. Blunden said McClaw was in league with the Italian group. In a signed statement, the police say, Blunden said:

"I told McClaw I was not going to interfere. I told him this is a colored man's game and if it is going to run it will be run by colored men. Before he left he told me I would be sorry."

Yesterday afternoon when Blunden reached home, his wife told him four Italians and two Negroes had been seeking him. Fearing an attack Blunden said he got his revolver and later met the men in a car at Colorado and Tasker streets.

HERALD  
SHARON, PA.  
MAR 27 1929  
CITY MURDER RATES.

Some strange facts about the American murder rate are revealed by Dr. Frederick L. Hoffman, statistician of a big life insurance company. Foremost among them is that the top-notch among our cities in the matter of murder is not Chicago, nor any of our biggest and wickedest communities.

The murder rate in Chicago is 15.8 per 100,000, which is pretty bad compared with Philadelphia's 8.6 or New York's 6.7, but nothing at all compared with the rates of Memphis and Birmingham, which are respectively 60.5 and 54.9 per 100,000.

Southern cities show up badly in this report. The six largest cities in the United States average 10 murders a year per 100,000, while the 10 leading southern cities average 38.6.

The difference, Dr. Hoffman declares, cannot be explained either by blaming the negroes or by blaming immigrants. It looks as if native whites are mainly responsible for American pre-eminence in murder. Why should that be?



Crime - 1929

Noted  
20. Hildesberg,  
FEB 21 1929

## South Carolina Christians.

**I**N A RECENT speech Governor Richards, of South Carolina, boasted that his State had more "professing Christians" than any other State in the Union, in proportion to population. Whereupon Robert Quillen has taken the matter up in his famous Fountain Inn Tribune, giving some other "statistics" about our sister State, as follows:

"Exact statistics are not available, but even the casual observer cannot overlook the fact that South Carolina, in proportion to population, has more cold-blooded murderers and casual killings than any other State in the Union equally free of alien blood.

"She has more corn-liquor stills than any other state in the Union. She has more corn-liquor consumers than any other state in the Union. She has more venereal disease than any other State in the Union. She has more debt-beaters than any other State in the Union. She has more bogus-check flashers than any other State in the Union.

"The distinctions, bear in mind, are here by reason of the qualifying phrase, "in proportion to population. And her sins can't be blamed on the "niggers," for the records show that white men are charged with more felonies than black ones.

"Our greatest weakness as a people—and the daily press has begun to confess the fact openly since the governor made his boast—is that we stuff ourselves with religion until it addles us, and then, happily conscious of being heavenward bound, we go out and raise the devil with a clear conscience.

"We need less religion of the present kind and more decency—less "professing Christianity" and more of the Christianity taught by Christ."

South Carolina.

## TO MANY NEGROES KILLED

Palmetto Leader

3/18/29  
The killing of Negroes in raids by officers on stills is becoming altogether too frequent. Why should anyone be killed anyway by raids on whiskey stills? While the manufacture of whiskey is against the law, yet it is not such a serious infraction as to warrant the murdering of those engaged in this form of violation of a law which is not observed by any too many as it is.

The tales too that the officers give for the most part are ridiculous. They either were only shooting in the air or the Negro drew a gun on the officer, or snapped a pistol at him—frequently the latter is given as an excuse.

But isn't it strange that the pistol always just snaps? One would think that these fellows always have only an excuse for a pistol. The truth of the matter is that these men raiding stills all too often go with the intention of killing, knowing full well that, if they be particular and kill only a Negro, the usual stereotyped verdict by a coroner's jury of "killed by Mr. Officer So and So in the discharge of his duty" will be promptly rendered. Such may gratify the cowardly officer but it is not good for the people at large. Where life is regarded so cheaply, there can not be a very high degree of civilization and hence but little contentment and happiness.

Of course no one expects an officer to stand up like a "dumb bell" and allow himself to be injured—and he should not—when in honest and sensible discharge of his duty. But since when have Negroes working around stills become so desperate that they are ready to stand up and shoot it out with officers? The stills do not belong to them and hence they have not the feeling common to humanity to protect his own. They are simply working around it for some white man who has them employed. And strange too the owner is never caught or hurt. Of course, they should not work for anybody engaged in this kind of illegal business. But what shall he do if hired to do other work and then ordered by his employer to do some kind of work around such places? Quit? Easily said and done, but when work is so scarce, what is he going to do to earn his livelihood? His necessity is taken advantage of but for this he should not be ruthlessly killed. The civilized, christian sentiment of this State should call a halt in these needless murders.

## NEGRO SHOTS FARMER IN MONEY QUARREL

Slayer, Badly Beaten by  
White Man, Is Lodged  
in Jail.

Aiken, S. C., August 15. (AP)—J. T. Fulmer, farmer in the Eagle section of this county, was shot and killed this morning by Ernest Steadman, negro farmer.

According to the story told authorities here there had been ill feeling between the two for some time and this morning the negro came to Fulmer's home to collect money he claimed was due him.

An argument ensued and Fulmer is said to have struck the negro with an axe handle. Steadman then pulled a pistol and shot Fulmer through the throat, police say. Fulmer struck the negro twice after being shot and then walked into his house and fell dead.

A 10-year-old son of Fulmer's was a witness to the shooting and officers said his story was virtually the same as that told by the negro.

The negro, who had apparently been severely beaten, was brought to the county jail here.

## MERCY WELL GIVEN

Over two years ago, five Negroes were convicted of the murder of a rural policeman of Beaufort County. Two of those convicted were given life sentences and three the death penalty. Of course, unless there had been a conspiracy to murder the officer, the five could not have been guilty of murder. The case was appealed to the Supreme Court. Two of the Justices thought a new trial should be given while three found no error in the proceeding of the lower court. The Justice who wrote the opinion however indicated that the case was one where mercy would well be given by the only one who could give it—the Governor. After giving careful consideration to the case, Governor Richards commuted the death sentences of the three men to life imprisonment. The Governor was not convinced from the record that the elements of murder were present. Because of that, and desiring that justice be done, he exercised clemency. We believe all fair minded citizens will commend this act of the Governor. Certainly it shows that he is not afraid to do what he believes is right and just.



FEB 21 1929

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According to the story of a local authority, the two men had been in a quarrel for some time and this morning the negro came to Fulmer's place and threatened to kill him.

An argument ensued and Fulmer is said to have struck the negro with an axe handle. Steadman then pulled a pistol and shot Fulmer through the throat, police say. Fulmer struck the negro twice after being shot and then walked into his house and fell dead.

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The negro, who had apparently been severely beaten, was brought to the county jail here.

## MERCY WELL GIVEN

Over two years ago, five Negroes were convicted of the murder of a rural policeman of Beaufort County. Two of those convicted were given life sentences and three the death penalty. Of course, unless there had been a conspiracy to murder the officer, the five could not have been guilty of murder. The case was appealed to the Supreme Court. Two of the Justices thought a new trial should be given while three found no error in the proceeding of the lower court. The Justice who wrote the opinion however indicated that the case was one where mercy would well be given by the only one who could give it—the Governor. After giving careful consideration to the case, Governor Richards commuted the death sentences of the three men to life imprisonment. The Governor was not convinced from the record that the elements of murder were present. Because of that, and desiring that justice be done, he exercised clemency. We believe all fair minded citizens will commend this act of the Governor. Certainly it shows that he is not afraid to do what he believes is right and just.



DEC 20 1920

**NEGROES LAW ABIDING.**

A newspaper correspondent reporting conditions in Bamberg County says that thirty-nine cases came before the Court of General Sessions in that county during the past year. Of these cases twenty-three were against white men and sixteen against Negroes. Lacking one there were one half more cases against white men than against Negroes. Yet the population of the county is made up of 7,000 whites and 14,000 Negroes.

Of the thirty-nine cases there were nineteen for violating the prohibition law, and of these eleven were against white men and eight were against Negroes.

However when it came to convictions the Negroes were in the majority. Of the sixteen Negroes tried all were found guilty while only eleven of the twenty-three white men tried were found guilty.

The report says that a few years ago the courts in Bamberg County were congested with cases against Negroes.

What is the reason? Is it the certainty of punishment which the Negro feels?

Whatever the reason the showing is most flattering to the Negro race in Bamberg County.





WALL STREET



BUT THESE BABIES CAN BORROW MONEY TO OPERATE ON.

Friday morning while being placed in the police patrol for transfer to headquarters, a young negro, accused of stealing chickens, succeeded in escaping from the police driver. The latter shot at the escaping prisoner and wounded but failed to stop him.

Early Saturday the negro was located in his home by three policemen. One of the officers, using good police strategy, entered through the back door, another "covered" the rear door and the third stayed in the yard. When the first officer entered the house the negro, unarmed, lunged for the patrolman's gun, but failed to get it. The officer shot him.

The officer stationed at the rear door entered and went into battle. He fired and the negro went down. It would appear that at that time the two policemen inside, with the wounded, unarmed man on the floor, should have had the situation well in hand.

Instead, according to reports, the negro got up, fled to the yard, picked up a piece of concrete and threw it at the third policeman. Then he promptly was riddled to death.

The courage of the policemen is not questioned, their judgment is. If the three policemen were not capable of subduing an unarmed negro they had cornered in a building, without resorting to killing, they have no business on the force. The officer whose weapon the negro attempted to take had a right to use whatever force was necessary to prevent the act, but the shooting should have then stopped. Wounded as he was, it is inexcusable that the prisoner should have been allowed to escape to the yard.

A rat will fight when cornered. An unarmed negro will battle three policemen if he has committed an offense so serious that arrest would mean long deprivation of liberty or perhaps life. The negro is said to have made a statement that the police would have to kill him.

Something far more serious than chicken stealing must have prompted that determination. The killing is one which those of the

police department who are charged with solving crime might well regret. The homicide may have been justified, but it was unnecessary and it was certainly not intelligent police work.

## TRY TO IDENTIFY NEGRO.

Alleged Chicken Thief Has No Police Record Here.

Fingerprints of William Harper, 29, slain negro, were broadcast by police yesterday in an effort to establish his true identity.

The negro was killed early yesterday morning when he resisted arrest for 24 hours. Police believe that anyone who has such an aversion to arrest as was shown by Harper must be wanted somewhere for something. He has no police record here, Chief Lee said.

Harper's first escapade with police was on Friday morning when he was arrested by Emergency Officer Bill Stocks as a chicken thief. When he was being placed in the patrol wagon by Patrolman Sandy Lyons, the negro knocked down the officer and made good his escape, although he was shot twice by Lyons.

Shortly after 1 o'clock Saturday morning police learned that the negro, who at the time of his arrest had given the name of Will Stinson, was at his home. Officers H. G. Crum, G. W. Ables and E. B. Jones of the Barksdale station, were sent for him. As they arrived Harper told his wife he would never be taken alive and attempted to escape. Officers surrounded him, and when he started throwing bricks, hitting Jones on the hand, they opened fire. The negro was shot 15 times. Two freshly dressed wounds identified the negro as the one shot by Lyons.

## NEWS CHATTANOOGA, TENN

### APR 17 1929 Fee-Grabbing and Pool-rooms

We have no patience with that form of extortion known as "fee-grabbing." That constables, working through Justices of the Peace are guilty of such practice goes without saying. But the sheriff's forces, sometimes, are equally guilty.

Saturday night a negro poolroom at 212 Ninth street was raided, and thirty-three negroes were caught. They were taken to the office of a justice of the peace. Two of Sheriff Taylor's deputies took part in the foray, and were discharged by the sheriff Sunday. The operator of the pool room was held to the grand jury Monday under \$1,000 bond, charged with operating a gambling establishment. Twenty-



nine negroes were bound over on charges of gambling.

While the sheriff's action in discharging the deputies probably was a blow at fee-grabbing, it was also a blow at law-enforcement. Such a method of discouraging raids on alleged gambling houses cannot fail to give balm to those who breed vice and crime in the pool halls. The sheriff's anger was particularly directed at the fact that the prisoners were taken to the justice of the peace office. He has ordered that there be no night courts, but that persons arrested be carried to the jail, where justices of the peace are supposed to be on night duty to sign mittimus. As a matter of fact, the thirty-three negroes arrested Saturday were taken from the justice of the peace office to the jail before bond was made. We believe that the reason this was done was to let the sheriff's office get credit for the turnkey fees, which are \$2 in each case.

In order that the public shall not get the wrong impression, it should be remembered that the law is very plain in such cases. The law requires that the officers take those arrested before a justice of the peace. The justice is supposed to inform them of the offense with which they are charged and of their right to counsel. If the defendant is ready for trial, he should be tried then and there. The Justice of the Peace cannot commit a prisoner to jail without a hearing except on proper continuance. The code specifically states that a continuance should not be had when both the prisoner and the state are ready for trial. This will be found in Code Sec. 7008-9 Lea 422. The code further states (Sec. 7022) that if, upon examination it appears no offense has been committed, the prisoner should be discharged, but that if an offense has been committed (Sec. 7023) and the prisoner cannot make bail, he should be committed to jail.

A prisoner should not be committed to jail without a mittimus. It is the duty of the justice to issue such papers, and it is the duty of the justice to appear in his office after alleged gamblers are rounded up, and it is the duty of the officers of the law to suppress

gambling at night as well as between the hours of 8 a.m. and 6 p.m., which are the regular working hours of the justices of the peace.

There seemed to be grounds for believing that the poolroom raided was permitting gambling. Otherwise the negroes would have been released at the hearing Monday. Constable Wm. Broxton, former athlete, who only recently took up his present duties, planned the raid on evidence he had gathered. We believe he was entirely sincere in his purpose, and that he desires to go further in cleaning out gambling nests in poolrooms.

The sheriff's forces have shown little desire to raid gambling houses either in the daytime or at night. Open gambling has been going on north of the river, but Sheriff Taylor's raids have been few and far between.

## COURT CONVICTS NEGRO ON LIES

CENTREVILLE, Tenn., Aug. 15. Open admission by three women witnesses that they had given false testimony was carefully ignored by a Circuit Court jury when they found Tunley Wright, aged Negro, guilty on vague "attack" charges brought by a white woman. He was sentenced to ten years. His attorney will in the meantime move for a new trial.

In line with the usual policy of conviction of Negroes on the slightest "evidence," the state pressed for a death sentence right up to the last moment, when it was revealed that the testimony on which Wright was to be killed judicially was perjured. By passing the ten-year sentence, however, it openly encouraged further framing of Negro workers.

### Admit They Lied.

Even two members of the state's staff withdrew and expressed the conviction that the Negro had been framed. Two grand-daughters of Mrs. Lynn, the alleged victim, admitted they lied when telling the court that Wright had cowed them with a pistol. The admissions were made after Allen and A. B. Breece, brothers, testified they were with them until several hours after the fictitious assault.

Prosecutors obtained from Mrs. Lynn her confession supporting her

grand-daughters' assertions.

The puncturing of the cooked evidence, however, was not strong enough for the white jury to order immediate acquittal. "The public must know the facts," Attorney General Aggleston said when ordering continuation of the trial in order to secure the ten-year sentence.

"That conviction is on false evidence is only incidental to the program of suppression against Negro workers throughout the United States," Harold Williams, Negro Director of the New York District of the Communist Party, told the Daily Worker yesterday. Such suppression—along class and race lines—can be ended only by unity of Negro and white workers under the leadership of the Communist Party," he said.

## KIDNAPPING NEGRO PRISONERS FROM NORTH TO SOUTH

By WILLIAM PICKENS

(For the Associated Negro Press)

Another Negro has been kidnapped out of a northern prison to a southern state, and again with the connivance of the local officers of the northern state. This Negro was fighting extradition at the time, and his case had already been placed before the governor of the state. As is often the case, the Negro claims that the charge against him was framed, to get him back south for purposes of revenge. But we are not concerned in this editorial with the truth or falsity of the charge against him or its nature; we are concerned with the violation of the plain and very important right of a man under arrest to fight extradition and to have the matter properly settled before he is surrendered to outside authorities; and the rights of every human being, not to be kidnapped by brute force in violation of all law.

Ernest Foster was arrested in Jackson, Mich. by the police, at the request of officers from Huntington, Tenn. He denied the charge against him, refused to waive extradition, and his attorney appealed to the governor for hearing and decision. This is all in accordance with law and order. But while the matter was pending in the governor's office, the officers from Tennessee came into Jackson on Saturday, November 16th, made a collusion with the local officers, and on Sunday, the 17th the local officers came to the jail and told the turnkey that the colored prisoner was wanted "at headquarters for questioning." The turnkey, of course, was in the trick, or he would have refused to let the prisoner out of his custody, knowing that he was fighting extradition.

To keep the Negro from getting suspicious

and making an outcry, they did not even take along his clothes or any of his belongings. But when he got to "headquarters," he found that it was a trick to turn him over to Tennessee officers who were in waiting. He asked to be allowed to telephone his attorney. He was denied the privilege. They rushed him by auto to Detroit, then to Cincinnati by train, then to Covington, Ky., where they kept him in jail for two days. The officers seemed to be in somewhat of a quandry, knowing that they themselves were committing a crime and violating the very laws that were supposed to uphold; but they finally took the man by auto again from Covington, Ky., to Huntington, Tenn.

This is a serious matter for the Negro people of the United States. Either they must find effective action and redress against such "official" violation of their rights, or they might as well stop fighting extradition and go on peacefully back to a southern state whenever the slave order is issued for them. In the days of American slavery, free Negroes were kidnapped and sold to the south in the same way, and with the connivance of local and often venal officers of a northern community.

A SUGGESTION: Whenever a Negro is fighting extradition to any southern state, his attorney and the colored people of the community should immediately get an injunction from the proper court, prohibiting the jailer from letting the prisoner out of his custody of the jail without further order from said court. In support of the request for such injunction, this case and others can be cited: a year or two ago, a Negro was similarly kidnapped from Chicago to Terre Haute, Indiana where he was delayed by injunction, but was again kidnapped from Indiana to Georgia while the colored people were off their guard.

ANOTHER SUGGESTION: This kidnapping from Michigan should not go unnoticed by the governor or the courts. To take this man thus secretly and violently out of the jurisdiction of the State of Michigan, after his case was placed before the governor of the state, was a violation of the dignity and rights of the governor's office and will be regarded by the governor as an insult to his authority, unless he also is in sympathy with the kidnapers, as were his local officers. Every Negro organization in the State of Michigan, and every white organization that believes the law to be the law even when a Negro is the prisoner, should demand of Governor Green that the case be investigated by his office and the Michigan officers who too part in it be punished, or disciplined.

If kidnapping is a crime for the ordinary malefactor, it is a worse crime when done by an officer of the law, who takes advantage of his uniform or his authority and violates and outrages the laws which he is supposed to defend. There can be no greater cowardice in a state than an officer of that type; such an officer is a monstrous menace to the liberty and happiness of a weaker people. The Negroes of the north must show such an officer that they are not to be trampled on in this way with impunity; and that they will do everything that can be lawfully done to punish him. One thing they can always do: write such a betrayer down in their "book of evil remembrances" and vote against him as if he were the devil, when his case comes up for anything down to dog-catcher.—In this particular case we advise the colored people of

Jackson, Mich., to make a test and find out whether the laws against kidnapping do not apply to police officers as well as to other citizens of their state.—And the pity of it is that if the Negroes will just "lie down" in this case, the officers and courts and executives of the state, from the governor down will be glad enough to "forget it." And in the future the tendency will grow among petty officers to kidnap Negroes to claim the right of lawful and legal defense against extradition on any charge, however ill-founded. No body will value your rights and your liberty higher than you yourself value them. The Terre Haute kidnapping was too lightly passed over and too quickly forgotten by col-



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and making an outcry, they did not even take along his clothes or any of his belongings. But when he got to "headquarters," he found that it was a trick to turn him over to Tennessee officers who were in waiting. He asked to be allowed to telephone his attorney. He was denied the privilege. They rushed him by auto to Detroit—then to Cincinnati by train—then to Covington, Ky., where they kept him in jail for two days. The officers seemed to be in somewhat of a quandry, know- ing that they themselves were committing a crime and violating the very laws that were supposed to uphold; but they finally took the man by auto again from Covington, Ky., to Huntington, Tenn.

This is a serious matter for the Negro people of the United States. Either they must and effective action and redress against such "official" violation of their rights, or they might as well stop fighting extradition and go on peacefully back to a southern state whenever the slave order is issued for them. In the days of American slavery, free Negroes were kidnapped and sold to the south in the same way, and with the connivance of local and often venal officers of a northern com- munity.

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# THE NEGRO'S DAY IN HARRIS COUNTY COURTS

By O. P. DeWALT, President Houston Branch N. A. A. C. P.

The thinking Negroes of Houston are not interested in the defense of the criminals in the race. We would be more diligent in their apprehension if we felt that the punishment would be meted out according to the punishment that is received by other races for offenses that are similar. But we have about reached the conclusion that it is impossible for a Negro to obtain a fair trial in the courts of Harris County especially when interracial friction is involved.

The conditions that are responsible for this conclusion not only reflect discredit on the law-enforcing agencies, but contradict the sincerity of the sympathetic and helpful attitude of our best white citizens at large.

The destruction of confidence in law-enforcement cannot fail to weaken one's respect for law. There is now way of calculating the numerous crimes this situation has provoked. Equal protection of the life, liberty and property of the most humble citizen is indispensable to the best interest of any community. We are ashamed of the general opinion which prevails throughout the country that a Negro, accused of certain crimes, cannot get justice in the courts of Harris County; that an accusation based on the most flimsy circumstantial evidence insures an extreme sentence; that our over-zealous officers will not hesitate to destroy life or liberty for the mere purpose of satisfying public opinion and either vindicating or establishing a reputation for obtaining a large number of convictions. A few concrete examples will illustrate these assertions:

A few years ago, one, Luther Collins, was picked up in a random search for a supposed criminal and accused of a serious crime. The court appointed counsel that had been on the retired list more than twenty years and railroaded the trial which ended in record breaking time with the usual death penalty. The newspapers complimented the speed and thoroughness with which the wheels of justice moved and offered this "fine" example as an argument against the necessity for lynching. The employment of competent counsel, a successful appeal; a mistrial, a change of venue, a 99-year conviction, another successful appeal, another change of venue, plus nearly

five years in three jails (resulting in the loss of his health, and about \$3000 spent on his case) finally resulted in establishing his innocence beyond a scintilla of a reasonable doubt and a consequent dismissal of his case. His skin was bleached from a dark brown to a pale yellow, but he felt fortunate to escape with a bleached skin instead of bleached bones.

A short time later one, Elmer Williams, was brought here accused of killing an Italian woman. He signed a written confession describing every detail of the murder and scene and without making a single burst—pretty well drilled, eh? "Good work—shrewd sleuths," said the newspapers. Williams' bones would have been bleaching also, but for the fact that the superintendent of an insane asylum in Nebraska came here armed with records and pictures which proved that he, Williams, was sane but not sound, in this distant asylum for the feeble-minded at the time this murder was committed. His case was thundered in but whispered out.

A few months ago Lawrence Davenport paid the supreme penalty for the murder of a young white man, in spite of all sorts of contradictory and twisted evidence, which was sufficient to warrant any kind of a doubt, much less a reasonable one.

A short while later our initial Houston lynching helped the Democratic convention make us famous throughout civilization, humbling the just pride of every thinking Houstonian and causing him to make a pledge to the world that the fair name of our city would be vindicated. We are all too familiar and disgusted with the vindication process that has been pursued to date to tolerate further discussion. It suffices to say that our method of redemption is a bigger blot on the record of this city than the lynching itself!

Just a few days ago a Will Bowman was arraigned before the "bar of justice" for a supposed criminal assault on a white woman. The woman's original sworn statement, the testimony of the white man who was with her at the time of the supposed crime, and other vital evidence were withheld from the jury. In spite of these facts, Bowman was given a life sentence in the penitentiary. It was freely intimated by numerous white people who witnessed this abuse of justice that the suppressed evidence would have upset all grounds for a conviction.

These cases are merely typical—God only knows how many Negroes of Texas and the South have been victims of these crude methods. The courts of Houston are twenty-five years behind the business and educational world of Houston. There is not a reputable business firm in town that would tolerate a thought of giving the Negro less than 100 per cent in value for every dollar he spends. The educational forces of Houston are recognizing the fact that the "race problem" is more of an educational and economic problem. As a result our public schools have sprung up overnight from one of the most depleted to one of the most modern systems in the entire country. But, the wheels of "justice" are still moving in the ox-wagon ruts of a past age.

With the concrete knowledge hanging over our heads that all Negroes are potential victims of these deplorable conditions, we are remarkably fortunate to be blessed with the spirit of optimism which enables us to keep our eyes fixed on the star of hope.

## CRIME'S CONTRIBUTORY CAUSES

Due to the peculiar manner in which our entire race is rated and judged by the depredations and deeds of a few criminals in our racial contingent, our lot is the more difficult to bear and our job the more onerous to perform.

As long as able-bodied young men of our race, or of any racial group, are permitted to roam the streets in idleness day and night and endeavor to get by on their wits and supposed smartness, just so long are we going to produce a bumper crop of thugs, hijackers, rapists, murderers and criminals.

There are entirely too many Negroes in Houston who "toil not neither do they spin;" yet, apparently, they are living a life of ease while contributing absolutely nothing of a productive and constructive nature.

Petty politics, apathy, indifference, moral cowardice and a double standard of citizenship, are contributing more to the criminality and delinquency of our group than any other possible factors; and even those in our own racial group who know these things, are as quiet as a clam and as docile as a lamb.

Dives, resorts and dumps, operating in utter defiance and abject violation of the laws of the state, are run openly here; and seem to have some special privileges conferred upon them by the police and constabulary departments.

Most of these dens and dives are operated, owned and controlled by men of other races, yet they are conducted expressly for our people.

As a matter of fact, it is almost impossible for a colored man to operate one of these crime incubators in Houston; yet they are doing a rushing and thriving business under the management and ownership of other races, mostly foreigners.

We have often observed that more of our young men can be found in the dives, dens and resorts on Milam, McKinney, San Felipe and Odin, even on Sundays, than in our Sunday schools, churches and young people's religious organizations.

This condition does not only exist one Sunday in the year, but practically every Sunday in the year.

This is no brief for augmenting church attendance, but we merely cite it to show how we are drifting upon dangerous shoals and deserting the ancient landmarks of sobriety, honesty, integrity and right living.

If criminality is to be reduced among our racial unit, these places must be closed, particularly where they exist and operate in bold defiance of the written law; for as long as they remain in full blast and become the mecca for idlers, loafers and parasites (potential criminals), the entire race will be held up to the world as being criminally inclined, and our cause will suffer seriously.

We are in the midst of peculiar times, and too many people are hunting something for nothing.

They are resorting to dice, dominoes, checkers, policy wheels, bootlegging, hijacking and other means to get something for practically nothing; and where fortune goes against them some of them become desperate and a brutal murder, often in cold blood, is not infrequently the result.

Let's enforce the vagrancy law of the city, and let's close all these clubs (gambling dens) that are thriving in Houston like the proverbial "green bay tree."

If colored citizens in Houston would take more interest in the



things that vitally and directly affect us and our common community, we could be an instrument of much force and power in clearing up our side of the fence, and in ridding our city and society of these crime breeders and their extremely large colony of devotees, followers and adherents.

Any able-bodied and sane man, who refuses to make an honest living, but elects to try to live on his wits, is a constant menace to society, and stern measures must often be invoked and employed to get him in the right path and keep him straight.

Resolutions deploring crimes, offering rewards for the apprehension of these criminals and deprecatory articles in newspapers are efficient, but not sufficient—we must remove the causes!

"An ounce of prevention is worth a pound of cure," and that is just as true regarding crime and its suppression as it is regarding health and prolongation of life.

One heinous crime can do more towards precipitating clashes between the races, internal disorder, bloodshed and civil upheavals in one day or night than can be remedied during a generation or two; and can do our racial cause more harm than we can rectify in several decades.

Our peculiar Southern psychology is very unfair to the Negro race, in that the whole race is judged, rated by and held responsible for the acts of one criminal; yet if a white man perpetrates some atrocious crime, it is just that one person, and the entire white race is not judged, rated by nor held responsible for his criminal deeds.

This method of judging and classifying our race is unjust, unfair and un-Christian; for the masses of our people are for law and order and against crimes and the agencies that contribute to and make for criminality.

Since our people are virtually impotent and powerless to remove these contributory causes, we can at least ask that such dives and resorts be padlocked and the sooner this is done in this city, the better it will be for all concerned.

### A Negro Felon

Edward Hudson, Negro laborer of Houston, Texas, has been sentenced to four years in the penitentiary by a Houston court. The offense was burglary. The sentence should have been ten years; but the judge was kind and reduced the years of servitude to four. What was the nature of the offense? Edward was hungry and could not resist the tempting odors emanating from frying beef on a street corner barbecue stand. To put it in Edward's words: "Ah only was hungry and Ah broke into that stand when Ah jes couldn't resis' the smell of that beef a-frizzlin' ovah the fire." The judge who passed the sentence wanted to be kind; but of course the majesty of the law must be maintained. Meanwhile Harry Sinclair has begun a three months' sentence in prison. Let us see: How many millions were involved in the Sinclair oil scandal? If Edward Hudson has any leisure in jail he may give himself to the problem of relativity. He will probably never get as far as Einstein's theory, but that isn't necessary. If he will just remember that justice is relative, and that when a man happens to be poor and a Negro at the same time the law is bound to deal with him with particular severity, he will have learned his lesson.

## HOUSTON'S BLACK CRIMINAL ELEMENT

Police and court records disclose the fact that too many Negroes in this city are committing crimes, and unless this black criminal element is checked, we are going to be forced to bow our heads in shame at the appalling crime record of our group here.

Shooting and cutting scrapes and other offenses against society are daily occurrences here among our people, leading some to conclude that the Negro is inherently criminal and lawless.

This is not true, for the law-abiding and self-respecting Negroes outnumber the lawless and criminal element; but the deeds of the criminal type are paraded daily to the world through the white newspapers, while the multiplied thousands who have never bowed down to Baal nor worshipped him, are unknown and must suffer the stigma attached to the race because of the criminal acts of a few members of their race.

The Negro race should not be judged unjustly and unfairly by the lowest element within its race, no more than any other racial group should be appraised by its dregs and criminals.

However, merely to decry and deplore this situation will hardly improve matters, unless we bestir ourselves and do our part in a well-defined way to reduce this criminal record, and to teach our people how to obey the law and conduct themselves in a becoming and decent manner.

Much, if not most, of the criminality of the present day can be traced directly to the home, where parents do not take enough time in rearing and training their children along the lines which make for good citizenship when these youth attain manhood and womanhood.

The home is delegating too many of its responsibilities to outside agencies, with the result that we are producing a bumper crop of criminals, both youthful and matured.

Those who are entrusted with the leadership of the race should give this matter serious thought and much study, and a concerted effort ought to be launched here to reduce appreciably the high criminal record of Houston Negroes, who are proving themselves to be weights around our racial neck and liabilities to society.

Here is a fine chance for some missionary work, which, like charity, should begin at home and then spread abroad.

POST  
EL PASO, TEX

DEC 6 1929

### Without Pardon

THE imposition of a sentence of "life imprisonment without pardon" on a Kentucky negro raises the very vital issue of who and what shall determine the fitness of a convict for release.

Our present punitive system is based on the idea that a judge may logically impose a punishment which will fit a particular crime. The convict will be ready to be released when the sentence has expired. The nature of the crime, not the nature of his conduct while in prison, is made to determine the desirability of freeing the criminal.

Now it is obvious that it is the promise of a law-abiding life after discharge based on evidence of reformation while in prison which is the real test of one's fitness to be at large. Neither the nature of the crime committed nor any experience or shrewdness on the part of the judge at the time of the trial can furnish any sure basis for final judgment as to the future reformation of the convict while incarcerated.

The only persons capable of forming any dependable judgment relative to the rehabilitation of a convict are those who are in a position to observe his life and activities from day to day, namely, the prison authorities. Arbitrary and specific time sentences, whether for life or less, make it impossible for us to make intelligent use of this indispensable information.



Crime-1929

TIMES DISPATCH  
RICHMOND, VA.

JAN 14 1929  
Concerning News

IN a letter printed elsewhere on this page, GORDON B. HANCOCK charges that a grave injustice was done the 55,000 Negroes of Richmond in the chronological summary of the outstanding news events of 1928, published in the issue of December 30. His complaint is that the Negro is mentioned in six of the approximately 500 items, and in each instance in connection with some crime. This leads him to the conclusion that The Times-Dispatch intentionally "plays down" the "meritorious behavior of Richmond's Negro citizens." He expresses the solemn conviction that it is such unfavorable publicity which "serves as tinder for the flames of the mob's passion."

We find what we look for. Any Negro or friend of the Negro could read that chronological summary and find therein a splendid testimonial of the law-abiding record of the race in Richmond. One of the six items is about the conviction of a white woman for marrying a Negro and the other the acquittal of a man on a charge of slaying a Negro. This leaves four crimes charged against the 55,000 Negroes of Richmond which were counted sufficiently grave to be placed in the year's summary of local news. An exceedingly good record for one willing to find it, but HANCOCK, we fear, searched that summary for something to resent.

It is obvious that mere "meritorious behavior" is not news. That comes under the head of the dog biting the man. It is the unusual, the out-of-the-ordinary that is news. Webster defines it as: "A report of a recent event; information about something before unknown; fresh tidings; recent intelligence."

Crime, as something abnormal, has its legitimate place in the day's news. The absence of crime has no place. It would have been cause for grievance, indeed, if to match the six items listed in HANCOCK's letter there had been six others of this sort: "Negro population well behaved; no uprising feared; Jackson Ward spends quiet day," etc., etc. HANCOCK's letter is answered at this length in the hope of disabusing his mind of the suspicion that a Richmond newspaper could be guilty of the unkindness—not to mention the stupidity—he charges.

## The Negro And The Homicide Rate

THE inference that is frequently lugged into crime surveys and statistics that crime trends in American cities significantly follow the relation of the Negro population is thoroughly exploded in a Virginia-Pilot editorial reprinted in the "Current Comment" column of this page. Analyzing recent homicide figures compiled by Frederick L. Hoffman of the Prudential Insurance Company, who is suggesting that there is a relation between Detroit's homicide increase and the increase of its Negro population, prompts the assumption that his finding that the ten American cities having the highest proportionate homicide rate are in the South is attributable to the preponderant Southern Negro population, the Virginia-Pilot points out comparisons which totally upset that assumption.

For instance, the Norfolk newspaper logically asserts that if it were true that homicide rates uniformly followed Negro population percentages, the Southern cities having the highest Negro population figures ought to show the highest homicide rates. But it is shown that this is far from the case. For instance, it is pointed out that Savannah, Ga., with a 47 per cent Negro population, which is the highest of any Southern city, has a homicide rate of only 31 to each hundred thousand, while Memphis, Tenn., with 37.7 Negro population has a homicide rate of 60.5. It is even more contradictorily shown that Norfolk with a Negro population of 36 per cent, or a colored population approximately equivalent to that of Memphis, has a homicide rate of only 11.9 per cent for each hundred thousand, or less than one-fifth of that of the Tennessee city.

By these irrefutable comparisons the Virginia-Pilot destroys absolutely any assumption that crime has any direct relation to the mere color of skin, but when that newspaper intimates that the explanation for the South's "disgraceful" homicide rate lies more probably in its illiteracy, poverty and squalor, than in the particular color of its population percentages, it is on thoroughly logical grounds. Illiteracy, poverty and squalor affect both racial groups in the South to an all too large extent, but they affect the Negro to a more pronounced degree.

Then it is from the angle of more education that the South must base its hopes of lowering its homicide rate. Yet, to be effective its educational program must more liberally embrace the Negro. The stimulation toward bracketing the Negro more liberally into the South's educational ambitions is due to come from a more general realization of the fact that the white South does not bear what is persistently referred to as a fiscal burden in educating the Negro. Though the Negro is economically weak, practically the whole of his economic power is translated into his means of subsistence. Therefore his very necessity for the requirements of physical subsistence imposes upon him the carrying of an equitable share of public taxes. Public consumption bears the burden of public taxation, and the most insignificant man in the community who consumes any part of what is produced is an indirect taxpayer. Realty taxes, instead of being paid by landlords are paid by tenants, while the taxes of merchants are paid by customers.

## Virginia

Another factor which eminently attests the truth that the Negro in the South is no educational burden is seen in the figures for Rosenwald schools. More than 4,000 of these have been erected in fourteen Southern states at a cost of more than 17 million dollars. Of this cost the Negroes have borne out of private funds more than three and a half million, while white private subscriptions and public taxes have borne something over eleven million. The percentages are: Negroes, 20.13; whites, 4.45; public 58.24 and the Fund, 17.18. But it is to be remembered that here the Negroes contribute in two places. The public funds which go to the erection of these schools are created by their direct and indirect taxes along with those of the whites, while they have given five times as much as the whites in private subscriptions. Certainly an analysis of this situation dispels the idea that the Negroes of the South are educated at the expense of the whites. And even if this were specifically true, it would not be socially inequitable, because education is for the benefit of the whole community and the cost of providing it is justly based upon the principle of the stronger aiding the weaker.

But as surprisingly as it is to find by Mr. Hoffman's figures that the homicide center is not in bloody Chicago, but in the South it is conclusively shown by our Norfolk morning daily that there is no well founded relation between the mere matter of race and crime, while there may be a wholly logical significance between crime and the intellectual and economic status of peoples.

## NEW YORK WORLD

NOV 6 1928

JUST AN OLD NEGRO

(From the Baltimore Sun.)

James Watkins is an old Negro living in Halifax County, Va. A month ago he was arrested and thrown into jail in Danville to await the opening of the Federal Court session. The belief was that James had been guilty of selling a pint of whiskey but there was no certainty as to that, and James himself claims not to have known why he had been put in the hoosegow.

Any way, James waited a week. He waited a month. By that time he thought he had better be doing something about it, so he sent for his jailers and expressed a desire to plead guilty to whatever crime he was supposed to have committed. Apparently James's desire of the moment was action.

Well, his jailers were accommodating; so they escorted him into court, but before the majestic machinery of the law could proceed to function it was necessary to look up James's indictment. There was no indictment. In fact, according to the press despatches from Danville, there was no record of any formal charge whatsoever. So James was set free.

Further investigation disclosed that two years ago a couple of Federal dry agents, now no longer in the government service, had been snooping around in Halifax County and had turned in the name of James Watkins as a suspected purveyor of liquor. It was on this basis alone, we are told, that James had been tracked down and jailed.

Maybe he sold that pint, and maybe he didn't. Any way, he served a month in jail. And though James is just an old Negro, without any means of

redress, it does seem unlikely that the law was quite so careless in the ante-Volstead era.

## Blackened Face White Criminals

THE JOURNAL AND GUIDE last week in that single issue carried two news items covering instances occurring at widely separated points in which white men with their faces blackened to disguise themselves as Negroes had been discovered committing crimes upon white persons.

One instance happened in Savannah, Ga., where a youth thought to be a Negro had jumped on the running board of an automobile and after robbing its occupants was knocked off and killed as the car passed too near a post. Examination of his body later revealed that he was a white lad with his face blackened. The other instance occurred in our own city. In a fight lasting several minutes with a burglar in her home, Mrs. Blanche Corrington, a plucky white woman, was rendered unconscious from blows rained on her by her assailant, but not until she had torn his clothing sufficiently to discover that his skin was white, though his face was blackened so that he was at first thought to be a Negro.

In the Savannah case it was only because the youthful robber was so unfortunate as to be accidentally killed before completing his job that the police were prevented from spreading a dragnet for a Negro highwayman, and doubtless arresting a number of colored suspects from whom, it is entirely possible and even probable, a "perfect" identification would have been made. The rest of the story need not be told.

In the Norfolk case, though the circumstances that brought about the revelation of the racial identity of the culprit were equally as extraordinary, they were of an entirely different character. It was only because Mrs. Corrington did the most unusual thing—entered into physical combat with the burglar in her home and persisted in the fight so long that she had disarrayed his garments—that she discovered she was not being attacked by a Negro at all but by a white man. And because of her exhibition of extraordinary pluck, our police instead of hunting down a Negro for the attack, must scent out a white man.

Though it must be said to the credit of Norfolk people that they invariably retain their poise in the face of the most aggravated cases of offenses of Negroes against whites, these offenses always have a depressing effect upon the better element of Negroes themselves for the reason that they realize that the crimes of the individuals of their race are unfairly used to stigmatize the race itself. Had not Mrs. Corrington discovered that her assailant was white, his crime, of course, would have been laid as a stigma at the door of the Norfolk Negro group.

Just two unusual circumstances spared the



race here and in Savannah further degradation from acts conceived in the brains of white men and to protect their Nordic hides. But while the revelation of the racial identity of these two culprits was brought about by unusual circumstances, their acts were not uncommon. It is only because the unusual or extraordinary circumstances rarely intervene that the public is not more generally acquainted with just how common is this practice of white criminals disguising themselves as black criminals.

But behind the whole thing lies the race psychology of the white public and police officials. Blackening the face is rather cunning after all, and detectives would have long ago measured up to this artifice of white criminals were it not for the fact that instantly black is mentioned or even hinted in connection with crime, race psychosis operates to obfuscate their sleuthing intellect. They become victims of their preconceived convictions that the crime *ipso facto* was committed by a Negro, and the possibility that it could have been committed by a white man with a blackened face never enters their mental processes. But police are drawn from a white public that suffers the same race psychosis and they seldom ever develop mental independence and keenness sufficient to divorce them from thinking enmasse on the race point.



## Abandoned Negroes.

Vice in some Negro sections of Milwaukee has created a problem which is now causing law enforcement officers there much concern.

The district attorney has gone to the bottom of the situation by pointing out that the problem is economic as well as moral.

Milwaukee's Negro population was considerably increased toward the end of the World War and just after it by the bringing in of families for industrial labor. Negroes coming from the South offered cheap labor. Milwaukee industrialists took advantage of that. They allowed the Negroes to be housed in squalor, but used them when their labor was beneficial. Soon the supply of white labor returned. The Negro was needed no longer. Without a job, he went back to his insanitary, poverty-stricken house to do the best he could.

Under these conditions vice grew among the Negroes. The program of the Negro violators became to go as long as they could without police interference, then, if caught, to take their punishment, and then go back to violating the law. They have had to make their living in some way.

What is the solution?

The Milwaukee Journal offers one: "Take the Negro back into the economic life of the city. These industrialists who brought him in have a responsibility. Are they willing to meet it? Are they willing to take a proportion of Negro labor and thus put jobs into those homes that have become houses of vice because vice was the only means of livelihood?

Little help can be expected from the industrialists. Even if they were disposed to put some of the Negroes back to work, probably workmen already on the job would manifest that bitter resentment which has developed in many similar situations. Observers assert that workers of foreign origin oppose Negro fellow workmen more than native whites do.

In "America Comes of Age," Siegfried, noted French commentator on condition in this country, observes as to the color problem:

"The new experience in the North has only retarded the hope of a solution. Although theoretically well disposed (toward the Negro), the Northerners are beginning to lose their old tolerance; for, instead of merely giving free advice to others,

they are now coping themselves with the difficulties of intimate contact. The Negro on his side endures this ostracism with growing impatience. As he becomes more civilized by city life, his hostility takes on a bitterness and a hardness which the South never had to contend with, for in the North there are no hereditary sentiments to relieve the tension."

Conditions like those in Milwaukee are multiplying fast in the North and West. They illustrate the soundness and penetration of Siegfried's observation.

## STATE COLUMBIA, S. C.

MAR 26 1929  
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